

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, February 7, 2012 at 2:00 p.m.

PRESENT:

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

Supervisor Walter: "-- lead us in the Pledge of Allegiance."

(At this time, the Pledge of Allegiance was recited)

Supervisor Walter: "Thank you, Mitch. Reverend Baxter, would you like us to sit or stand or-- "

Rev. Baxter: "We're already standing. Yeah and just by way of brief explanation. As I was walking in I happened to walk in with Chief Hegermiller and he said didn't you just give the prayer? And I said yeah, but I'm a poor substitute for Mary Cooper today who was not feeling well. She sends her greetings and I'm honored to be here again."

Supervisor Walter: "I hope-- our prayers are with her. I hope she feels better."

Rev. Baxter: "Yes, thank you. Let us pray.

Loving God, creator of all that is and all of us, thank you for this beautiful day and for this opportunity to work together as a community as leaders and citizens sharing the gifts and resources

with which you've blessed us, sharing a democratic process that has come to us through generations that we're grateful to be able to use.

Bless our leaders elected by this community and serving so faithfully. Bless everyone here, citizens, friends, observers, especially those who brought something to share that's on their hearts or their minds, affects their wallets.

Give us spirit of listening and of welcome to one another Lord. Help us to hear one another, to care for one another and not just ourselves as you taught us.

And we thank you in advance for good things we trust will come from this faithful town gathering to carry on the very important business of government here in Riverhead.

May we all sense your presence within us and among us even as we deliberate over many things.

We ask this gratefully in your loving presence oh God, amen."

Supervisor Walter: "Thank you Reverend Baxter from Old Steeple Church. We thank you very much for filling in.

And we have now our newest addition to the town staff, Jessica Ives, and Jessica is our new ACO and she's bringing in Ranger and since there's some new people in the room here today I've already looked at Ranger, he looks like a good dog. I think the owner is in this room. Let's go down and meet Ranger.

I don't know that they can get a picture of Ranger. You've got to go between the- okay. Wow. So Ranger is a- Ranger is an American Stafford terrier, gender male, neutered, two years old. Looks like a strong handsome dog so we have a sale today, well, come on, this dog actually looks a little like Lyle. Lyle, you should take him home.

Anyway, Ranger is available. Jim, what's the phone number?"

Councilman Wooten: "369-6189."

Supervisor Walter: "There you go, 369-6189."

Councilman Wooten: "We should have any dog that's shown at a town board meeting during the day that wants to be adopted, should be a free adoption."

Supervisor Walter: "Absolutely. And, Jessica, welcome to the town board now. I know it's Ives, but what's the last name? Jessica Ives (inaudible). So Jessica is our newest ACO and actually a little round of applause for Jessica."

Ranger is available. Hopefully one of you folks either in our listening audience or in our audience would be interested in taking him home."

Jessica: "He's a great foot warmer."

Supervisor Walter: "He doesn't look like he'd probably get along with my two cats. Thank you very much, Jessica, appreciate it."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Okay. Where are we? John, I think you're up."

Councilman Dunleavy: "Okay. I'd like to make a motion that we approve the minutes of the January 18, 2012 and the special town board meeting of January 19 and 26, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay, Reports. John?"

Councilman Dunleavy: "I just have one thing. The town of Riverhead on March 10th, we're going to operate- we're going to honor the soldiers that live in the town of Riverhead that were in the Gulf war, Afghanistan, and Iraq."

So anybody out there that would like to attend, let me know or let- and the tickets are going to be \$27.75 and that's what the

dinner costs. Nobody is making any money on this. It's going to be- make the checks out to Polish Hall. So it's \$27.75 for Polish Hall.

If anybody in the town knows anybody that was in any one of these conflicts, please let my secretary Linda Hulse know and so we can contact them. We want to honor everybody that resides in the town of Riverhead that was in- from the Gulf war all the way to Afghanistan that's home or that's coming home or that is still in- still serving over in one of those places.

So that's going to be March 10th."

Supervisor Walter: "Thank you. Any other committee reports before Diane goes?"

Councilman Dunleavy: "Oh, one more thing. They can also contact Liz Stokes at the Riverhead Free Library for information and for tickets. Okay. Linda Hulse or Liz Stokes.

And also, if they want to sponsor anybody, excuse me, if anybody wants to sponsor a service person it will cost you \$27.75. What we're doing is we're honoring the service person and one person, we're letting them come for free, whether it be their wife, their mother or father.

So if anybody wants to sponsor one, also give those two people a call and let them know so we can really, the town of Riverhead would like to go overboard for these people. They really did a lot for this country and for the town and for the county. So please help us out.

Thank you."

Supervisor Walter: "Thank you, Councilman Dunleavy. Anybody else, committee reports? No? Diane. Go ahead."

REPORTS:

Sewer district

discharge monitoring report,
December, 2011

Tax Receiver

total tax collection to date,
January 25, 2012 - \$66,218,088.79

Tax Receiver	total tax collection to date, February 1, 2012 - \$66,390,905.91
Tax Receiver	utility collection report, January, 2012 - \$457,345.95
Building department	monthly report January, 2012 - \$60,059.50
Town clerk	monthly report January, 2012 - \$8,821.94

CORRESPONDENCE:

5 letters	Recommending a short term moratorium for the Wading River corridor
10 Conservation petition cards	letter to Supervisor and town board suggesting to make environmental protection, land preservation and intelligent planning high priorities of the town
Phil Gatz	letter expressing opinions with regard to the Vail Leavitt running the Riverhead Blues Festival and admission fees and use of town services
Wading River Fire Fire District Board of Fire Commissioners	letter urging the town of River- head to fill as soon as possible a recently vacated fire marshal position for safety reasons
Timothy Hill Children's Ranch	letter notifying the town of their submission of an applica- tion for a charter school at their facility
Mary Gardner	letter regarding concern- "

Diane Wilhelm: "You know, I didn't finish that so I'm going

to leave that one out until next time.

And that's it."

Supervisor Walter: "Okay, thank you. I guess 2:05 having arrived, we have one public hearing and that's a consideration of a local law-- actually three public hearings, I'm sorry, 2:05 the consideration of a local law to amend Chapter 108 of the Riverhead town code entitled zoning, residential RC district and 2:05 having arrived, let's open this public hearing."

Public hearing opened: 2:12 p.m.

Supervisor Walter: "And Annmarie, would you introduce this?"

Annmarie Prudenti: "As probably most everyone is aware, this is a second draft to amend the retirement community zoning district essentially chapter 108 section 108-116 to the end of that chapter.

What it seeks to do is incorporate the recommendations of the master plan to provide for a continuum of care or-- and/or assisted living in addition to the retirement-- standard retirement housing provision."

Supervisor Walter: "Okay. Sorry, we multi-task in this department.

Councilman Dunleavy, would you like to say anything before we open it up?"

Councilman Dunleavy: "No. I just feel that we have a large senior citizen population in this town and what happens is when they get older that sometimes they can't care for themselves, a spouse dies who can't care for him so they either have to go out-- all the way out to Greenport or they have to go to Smithtown, Patchogue, someplace else. And if your neighbor wants to go visit you and they're up there in age, it's hard for them to travel to see you. So we'd like to keep our senior citizens, seeing we have a large 55 and over population here in the town of Riverhead, so their friends and neighbors can go visit them.

Also, this is going to be restricted to 62 and over so it's not going to be a retirement community. It's going to be someplace where you need the assisted living. Okay. Thank you."

Supervisor Walter: "Okay."

Councilman Gabrielsen: "I would just like to make a comment. Coming from the community of farming and being the liaison to the farm committee and the farm bureau and one of the concerns they had, the existing code right now says one unit for 40,000 square feet. That would be struck out according to this draft.

What they're looking for is dwelling units in the independent and congregate living facility shall be four for 40,000. Dwelling units in the adult care facility shall not exceed six for 40,000 and dwelling for the assisted living residence shall not exceed eight units for 40,000 square feet. And that's a big concern I think for the farm community and for myself also that you make such a drastic change. Not you, I mean in consideration (inaudible)."

Councilman Dunleavy: "Can I just answer that? This is for a community good, this is for our community. It's not for a commercial store like Stop and Shop or Wal-Mart to come in here. And I think the farming community should give a little bit to the town to help them out for a community good for the town.

It can't be a one-way street, always, you know, we have a lot of areas, farming area that we took off the books for housing and I think that they should step up to the plate and help us. Say, you know, you've helped us over the years, we're going to start- we'll help you out with this and we will go along with you for this project.

It's not going to hurt the other projects in the town. It's only for this project. And I think that everybody- taxpayer in the town of Riverhead will benefit from this.

So that's all I've got to say about this is that everybody has to help out."

Councilman Gabrielsen: "That's also, of course, a receiving area, that's why we're concerned and no one says by not changing that drastic that's going to stop the project. That's not either or. Like I say, I don't think (inaudible)."

Supervisor Walter: "All right. Okay."

Councilman Wooten: "I have a couple comments. In reading the

master plan, the comprehensive place, it was envisioned in the town by 20- actually by 2020, that all the needs would be subsided for seniors.

But one of the sub-sets to the RC district was the creation of a zone that would be assisted living type of- assisted living would be a sub-set to that RC district.

My concern a little bit and I agree with Councilman Gabrielsen, is that the first draft that we had did not negate the RC district where it came to one for 40,000 (inaudible) acre as opposed to four with the purchase of TDR's.

The second draft we received, it did strike the whole thing. There has to be a difference between what the RC district that we already is our code has to be recognized. The sub-set which actually is silent when it comes to TDR's should be drafted in addition to we don't change that original intent, so that an assisted living doesn't become a regular senior citizen home because there's no percentages as to how many are geriatric or what the needs are.

So I think it is- in its current form now, I think it's too vague. And I think it probably would have to be an addition to what's already on the books and not exclusive (inaudible).

That's just my thought."

Supervisor Walter: "Well- "

Councilwoman Giglio: "And if I can just say that I don't think that it should be a requirement that they are connected to sewers. I think that there should be a requirement that they're within a certain distance to businesses and, you know, pizzerias and things of that nature where people that work at the establishment or people that want to just go for a walk are within close proximity.

But I don't think that being connected to sewers is going to fulfill the need we have for these types of facilities and properties to where they could be situated on.

That's all. But that would be- I've always said that from day one that I didn't think that being connected to sewers should be a requirement."

Supervisor Walter: "I like it because Calverton will be the next spot we'll put it in. This is a great use for Calverton.

Okay, I will just say and it's not an editorial comment. The need arises and my numbers are not- I think they're a little stale but I think we have 24% of our population in the town of Riverhead over 62 so the need is there for something. So all of us on the top of- on this dais here have to get together and figure out what that something is because there's an absolute need.

All right. Mr. Zuckerman, do you want to say something? All right. Because I want to start off, you know, I saw you sitting there and I think we'll start off from the hospital's perspective."

Jay Zuckerman: "Good afternoon. Unfortunately Andy Mitchell could not be here. He's dealing with some health care issues related to his mom. So he's very much well aware of the issues at bay here.

First and foremost, I'm Jay Zuckerman. I'm vice president for corporate affairs at Peconic Bay Medical Center, and it's my pleasure to be here to talk a little bit about what you are proposing.

First of all, and the most foremost, is I want to- I appreciate what the town of doing to think about those individuals who live in the community who are aging out.

As you can tell by my grey hairs, in approximately one week I'll reach the golden age of 62- "

Supervisor Walter: "Do you live in Riverhead?"

Jay Zuckerman: "-- so you can put my name of the list."

Supervisor Walter: "Good. Are you a Riverhead resident?"

Jay Zuckerman: "I'll move."

Supervisor Walter: "Okay."

Jay Zuckerman: "And I think that's a very important ingredient in terms of who is it that you plan on serving and what restrictions if any might you have relative to who will reside here.

And, once again, it could be people who are over the age of 62 who in fact live in Riverhead. We also see a migration of seniors who maybe move to Florida and have family, and come back here, and I think some consideration needs to be made relative to that as well.

As the major provider of acute care health services, home care, skilled nursing facility care, I think it's important that whoever the developer is, they identify what will be the impact on other services such as the hospital, such as the emergency department, such as our home care agency, such as ambulance services as well.

And I think that is a required ingredient in terms of any kind of provider who is interested in providing this kind of service.

In addition to what extent would this provider be a for profit or not for profit entity and there are some concerns there, issues there in terms of the not for profit world versus the for profit world.

Similarly what financial contribution might there be towards the ambulance corps, towards other kind of resources.

To what extent will this provider provide on sight medical services in terms of access to laboratory services, primary care. To what extent can the provision of geriatric care be promoted.

There is a lack of geriatricians in the community and the needs of those who are elderly have some peculiar kinds of needs as it relates to their health care services.

We do have somewhat of a concern in terms of the addition of the potential of the skilled nursing facility as part of this. We are aware that there's an important need for a continuum of care. If you look at some of the data and I think that's something you should look at-- "

Supervisor Walter: "Can I stop?"

Jay Zuckerman: "Sure."

Supervisor Walter: "I don't think there's a skilled nursing home component to this. Is that what you thought or-- "

Jay Zuckerman: "It was my understanding when I read the most

recent draft that we had there was inference to a skilled nursing facility component."

Supervisor Walter: "Is that what your interpretation is Annmarie?"

Annmarie Prudenti: (Inaudible)

Supervisor Walter: "We'll get back to that because that's not--"

Councilman Dunleavy: "That was not our intent."

Jay Zuckerman: "Okay, all right. And here again while we fully support a-- the provision of a skilled nursing facility services, what we are seeing is because of alternatives that are being afforded to seniors, that in fact there are more and more skilled nursing facility beds available, be it at Peconic or be it at the other skilled nursing facilities in the region and I think that needs to be a planning consideration.

The other kind of consideration that needs to be-- what is the economic status of the individuals who will live in these communities. You don't want to market it as such at a fee monthly or otherwise that is so exorbitant that it adversely affects individuals who in fact are on a limited income.

One of the dilemmas that we face particularly individuals who have moved into some of the senior complexes who are aging out, because of the real estate market, the value of the property which is often the nest egg that allows them to move into these communities is in fact, has been diminished over the past five or six years.

Who knows where the real estate market will go. I'm optimistic but I think there needs to be a major consideration as it relates to that particularly for individuals who are on fixed incomes."

Councilman Dunleavy: "Well, that's why the question came up with TDR because for every TDR they have to raise the money that people have to pay to get in there, to get that money back. So that's why the TDR's is very important that we keep it affordable and that money that is used, is used to build this facility and not to just to go on the outside where it's hard to retrieve that money

again.

That's the reason for that."

Jay Zuckerman: "The other important thing is we're not just talking about (inaudible). I think in evaluating any developer, anyone who wants to develop this entity, you have to look at what credentials do they have in terms of activities of daily living, activities in general. You know, the issue about access for the residents to go to the supermarket, to go to a local restaurant, all those kinds of thing.

You know, while many of these communities have jitney buses and what have you, by and large that's sort of a limited commodity in terms of that so I think you need to look at what is the program that a developer is going to provide, what kind of recreational services. Will they have recreational therapists on staff? Will they have available, you know, part time, full time nursing?

Will they provide an emergency response system where you press a button and someone comes to your aid?

So we're not only talking about a building, a structure. We're talking about one, what is the commitment of the operator to the needs of seniors which are very different than what we do at Peconic Bay Medical Center.

What is the commitment of the operator to deal, live with people on a long term personal kind of basis? What kind of management will be on site? What will be the training of the staff who will service the residents of this community?

All of them need to be cognizant of the geriatric needs of this particular population and I think that is, in fact, essential.

And lastly, Peconic Bay Medical Center is very anxious to be part of a process, to be part of- we'd be interesting in getting involved in the selection process, meeting with prospective developers, to work out programmatically how we can work collaboratively.

As many of you may be aware, we about a year ago started a primary care residency program and, in fact, our residents need to be trained about geriatric medicine. And this would be an ideal

location for us to, in fact, educate the next breed of primary care residents who will settle in this community who will have to deal with the needs of those (inaudible) geriatrics.

And last but not least you know to what extent would the population who might be eligible for Medicaid be in this environment and I know unfortunately the state has put some major restrictions on assisted living for individuals who might need Medicaid eligibility. So that's another consideration that you need to think about.

And I'd be more than willing to answer any and all questions that you might have."

Supervisor Walter: "You know what the problem for us is because everyone of those points that you make are excellent. But when we write the zoning code, we don't- we can't address all of those because that's an operator issue.

What we have to do is set a zoning code that is not specific to one operator or another operator, just this is the type of facility so what we tried to do is add things in there like there is a requirement I think to have some sort of primary care doctor or something in there. I read this several weeks ago, so there were two drafts.

But I'm going to ask our counsel to address some of these things, not right now but at the end of the hearing. But many of the things that you've mentioned I don't know that we could write in the code but what would be great is whoever does come and apply under this code, that they meet with the hospital. Meet with some of the other people that are in that business to try to work through these issues.

Because I don't know- if you want to come up- "

Annamarie Prudenti: "Mr. Supervisor, I just want to make one- "

Councilman Dunleavy: "Can I just ask- "

Annamarie Prudenti: "-- so we can have an opportunity to comment so the record is clear."

Supervisor Walter: "Come up to the microphone so people can hear you."

Annmarie Prudenti: "Because the definition of congregate living facility includes skilled nursing care and the basic retirement community the way it's framed out, includes congregate living, it could potentially include skilled nursing care. So you may want to address that."

Supervisor Walter: "Was that in our last draft?"

Annmarie Prudenti: "No. This was in the latest draft."

Councilman Dunleavy: "Yeah, the last draft didn't have that because- "

Annmarie Prudenti: "The last draft by legal did not have that."

Supervisor Walter: "Okay."

Councilman Dunleavy: "We have skilled nursing facilities- "

Supervisor Walter: "Well, I can tell you right now we're going back to public hearing."

Councilman Dunleavy: "And we're going to go back because I'm not going to support that. Okay."

Supervisor Walter: "So that's coming out. So no matter what the comments, there's going to be another public hearing on this because that's coming out. We never anticipated skilled nursing facility in any shape or form in here. So, yeah, the genesis of this particular code is very interesting."

Councilman Dunleavy: "Now, can I ask him one question while he's up there?"

Jay Zuckerman: "Sure."

Councilman Dunleavy: "Your last remark about the Medicaid, okay. I visited a facility where they accept Medicaid and Medicaid does pay for these people to go there. And if you want any additional, then (inaudible) would pay two or three hundred dollars

more, whatever the difference. But this was a Medicaid acceptable facility and that's what I wanted this to be. Is that if somebody had Medicaid they could come here and that's why I want to keep it as affordable (inaudible)."

Jay Zuckerman: "The only consideration you need to think about is for an approved Medicaid assisted living facility, it has to be approved by either State health department or department of social services and as of my most recent understanding that there was a limitation as to the permitting additional such facilities in this region in Suffolk County.

So there needs to be discussions between yourself as well as the state."

Councilman Dunleavy: "Okay, thank you."

Jay Zuckerman: "The other kind of consideration is that there is a great deal being done at the state level with regard to what's called Medicaid re-design. And there are some grant programs available that, in fact, might be used for this kind of project. And whoever the developer might be, it would probably serve them well to look into that sort of thing."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "What I'd like to try to do, and, Ray, you are going to wind up coming back up.

What I'd like to try to do is instead of ping-ponging back and forth, does anybody- the next person that comes up I'd like to bring up if they have comments related to Mr. Zuckerman's comments from that perspective.

Because I think there's going to be farming comments, community comments, civic comments, but is there any other health care professionals and from that standpoint who would like to speak, because I would like to give them the opportunity now so the board is not doing this ping pong back and forth.

Anybody? No, okay."

Jay Zuckerman: "Thank you."

Supervisor Walter: "Thank you, sir."

Jay Zuckerman: "And we're more than willing to assist you with whatever needs to be done."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Appreciate it. Thank you. All right, next- Mr. Cuddy."

Charles Cuddy: "Charles Cuddy. I appeared at the last hearing I guess which was about 10 months ago and I thought there were some problems with the provision then and I think there's still some problems with the provision today."

If I could, I'd like to go through, sort of chronologically page to page and just give you an overview I think of some problems that I see.

If you start in the very beginning, the purpose clause says it is the intent of the town board to provide a diversity of housing types to be located in close proximity to shopping, medical offices, public services and public transportation.

The people that are independent do not need to be located next to those services. The people that are dependent can't use those services, that's why they're dependent and in these homes.

So I don't think that the intent can be as spelled out here. I also think that your comprehensive plan requires that senior citizen housing be throughout the town and it says that specifically. So I think the intent here is not spelled out correctly and I think you should really take a look at where these are to be located. That's the first page.

The second page which has, and by the way I recognize that we have a number of new definitions that are in this, but I still think that there are a lot of wrinkles that need to be taken out.

Just on the second page, there are two places where it says that the care facilities are 65- for people 65. There's another place where it says that they're 60 but there's nothing that talks about 62. So you may want to try and make it consistent someplace."

Supervisor Walter: "What were we shooting for here, 65 or 60?"

Councilman Dunleavy: "We were- sixty five."

Charles Cuddy: "On one of the others- "

Supervisor Walter: "Sixty five?"

Charles Cuddy: "-- I'll get to it in a minute, it says 60."

Supervisor Walter: "Sixty- hold on, Charles, I'm going to try and- there's a little disconnect in how this came to final- "

Councilman Dunleavy: "That's what- Annmarie made a mistake the last time with 55. Correct, Annmarie?"

Annmarie Prudenti: "Correct."

Councilman Dunleavy: "And it was supposed to be 65."

Councilwoman Giglio: "For independent and anybody (inaudible)."

Supervisor Walter: "Well, for- "

Councilman Dunleavy: "For everything."

Supervisor Walter: "See, what happened here is, well, the version is not the version that we originally- go ahead. Go ahead."

Charles Cuddy: "Just that as a problem with one of the definitions, I think when you get to the basic retirement community which is defined on top of page three, it uses that term to define itself. It talks about in which the basic retirement community adult care facility and assisted living residence shall constitute no less than 40% of the total number of units in the basic retirement community. So you're using the same term to define itself and I think that's just an error.

I would point out something to you on the same page. Congregate living facility and continuing care retirement community. They're basically the same type of community. They are sometimes called look alike communities but there's a big difference in the

oversight.

In continuing care retirement as you have down here, the public health law requires that the health department and the life care council of the state of New York oversee the site. Congregate living facility doesn't have that requirement. So you don't get audited. You don't have the same financial look at the site that you have.

I think it's better— much better for a town to have continuing care retirement than congregate living. But, again, that's a choice that you're going to make."

Supervisor Walter: "Say that again."

Charles Cuddy: "I say to you that if you look at your continuing care retirement community at the very end of that definition it says as mandated by the New York Public Health Law Article 46A."

Supervisor Walter: "Right."

Charles Cuddy: "Article 46A has a life care council component, has a health department component and that requires that type of unit to come to the state regularly, be audited regularly and be overseen by the state. Congregate living facility is a look alike community but it doesn't have that requirement."

Supervisor Walter: "So why do we have both in here would be the question."

Charles Cuddy: "Well, I'm just bringing the question."

Councilman Wooten: (Inaudible)

Charles Cuddy: "I also note that there's a I think an attempt to justify something in the independent and congregate living facility.

It talks about, and these are again this says for seniors over 60, but at the end of that definition it says that we're going to have that particular type of facility meals and laundry service. I think that's a stretch because I don't know what kind of meals and laundry service people over 60 need, particularly if they're in an

independent unit. And I wonder does that mean that they get meals every day. Is it optional to get the meals? Do they have laundry service regularly?

It seems that that's really pushing independent and congregate living to try and justify why we are talking about the, again, the question about having 40,000 square feet in four dwellings. Because you're modifying that by saying we're making it a little bit different in the TDR requirement in this town. And I think this becomes an important point.

The TDR requirement as Mr. Dunleavy just said is three TDR's for every four units for the RC district as it now stands. How do you justify to the people that are building condominiums for people over 60 when they have to pay \$200,000 for virtually the same type of unit that you have here except that you say you're going to get meals and laundry service.

I don't really understand that distinction. I think it's not a serious distinction, I'm suspicious of it, that it's just put in to try and qualify this.

There are people here who are building and there are builders here that are doing this that are spending \$200,000 more than the person who would be building these independent living units and I think that's a very difficult thing-- "

Councilman Dunleavy: "These aren't 55 and over condominiums. These are supposed to be for people that need assisted living and that's why the meals are there so they're not going to have a kitchen in their facility. They are going to do down, they're going to have it might be a microwave or something but it's not a full kitchen so they can't cook. So they're going to go down-- this is not a condominium for you to come out and live. This is for people who need assistance in living. That's what it was intended to be."

Charles Cuddy: "I suggest the town does need very much assisted living but this is independent and congregate living so I think it's a very different thing. And I think that if it was assisted living I would absolutely agree that's what's needed."

Councilman Dunleavy: "Right."

Supervisor Walter: "You could put a 1200 square foot unit

here which would be no different than what Mr. Cuddy is saying. Maybe that's where you make the break with development rights.

One of the thoughts that I had with the development rights after speaking to counsel was maybe you do it so units of say 800 square feet that are independent living, maybe we allow four units per acre at 800 square feet and then if you want to go larger than 800 square feet, you are required to have TDR's. That's quite a bit different than what say Stoneleigh Woods or somebody else is doing. Because they're not building 800 square foot units.

Does that get- I mean I think it's- "

Charles Cuddy: "Well, I don't know that that would be completely satisfactory but it's certainly a distinction that's not made here."

Supervisor Walter: "I also didn't understand- one of the things we're going to do, John, is we're not going to wait 10 months. We're going to get right back to public hearing on this in the next two or three weeks if we can because what's happened, you let 10 months go by and now it's not fresh.

But if we were to make the distinction that these were continuing care retirement communities, put the 800 square foot requirement in, don't call in congregate living, that gets you where you need to be.

Is that what your interpretation would be?"

Charles Cuddy: "Well, I feel badly for anybody that's building the condominium units that are still paying for TDR's but at least that's a difference, a distinction that's not in here."

Supervisor Walter: "Right. But most condominium units are not 800 square feet."

Charles Cuddy: "Are bigger than that."

Supervisor Walter: "Yes. Significantly bigger."

Charles Cuddy: "I would point out one other problem I see and it's on page six which is 108-119 and I think Councilwoman alluded to that earlier. And that is they have to be within 1500 feet of

the water district and sewer district.

I believe, again, that the comprehensive plan said that this should be throughout the town but more importantly there are many, many facilities from Dix Hills all the way to Southampton, more than 25 of them, that are senior citizen rehabilitative or nursing homes that are built without sewer connection. And I think that that is a fundamental difference that I have with what's here.

I don't think you need to have a sewer connection to have one of these."

Supervisor Walter: "My concept, and this is my concept. I don't know whether the board agrees with my concept. My concept is this is a very dense project. The density on the location is going to be such that you're not going to fit in the character of Wading River or Aquebogue or Jamesport and I do see it fitting in a couple places and maybe this is a little self-serving on my part as town supervisor, I see it fitting in a nice lot in Grumman which is sewered. I see it fitting in the Riverhead sewer district which most of the buildings on the Route 58 corridor are, you know, much larger structures and that's why we have a size requirement- I just- for the land.

I just don't want to see this popping up all over the place. I disagree with the master plan. I think we've got- the residents understand that from previous comments."

Charles Cuddy: "I think though that the facts and the town are a little bit different. There are over 500 units on Middle Road. Those units are set in a- certainly maybe not a bucolic setting but they are certainly not set downtown. They certainly are attractive to people because they were purchased and people live there and have lived there very happily."

Supervisor Walter: "But this is more of an institutional setting. In my mind, this is more of seeing a Peconic Bay Medical Center being constructed type of thing than you would have single family- "

Charles Cuddy: "I don't think assisted care is that and that's why I have a real problem with the way that this is set up. But that's a real fundamental difference.

I would like to say a couple other things. I think besides the comprehensive plan that somebody has to look very hard because the RC district is filled. There is no RC district that's open. And this is to be in the RC district.

If that's true, then you have to put zoning in place and you are going to have to, I think, SEQRA comes into consideration here. I think SEQRA comes into consideration for this amendment as well as the zoning amendment because you're going to have to change zoning someplace in the town.

So I think there are a lot of things to be considered and I would hope the board would take a second look at it."

Supervisor Walter: "I think this will be a- my assumption is this will be incorporated into the zoning at Calverton but for the other areas of the town, yes, you would have to do a zone change, you would be subject to SEQRA, whatever that SEQRA is. Absolutely."

Charles Cuddy: "Thank you."

Councilman Dunleavy: "This is a starting block and it can be built and reduced but we have to start someplace and that's why we have these public hearings, to get the input so we can go back and tweet it a little more.

Thank you."

Charles Cuddy: "Thank you."

Supervisor Walter: "Okay. Next. Yes."

Marcia Kipperman: "My name is Marcia Kipperman and you know, Mr. Walter, you made mention of the location and- "

Supervisor Walter: "Where are you from, Marcia?"

Marcia Kipperman: "Riverhead. And literally where I'm from is on the corner of Mill Road and Middle Road. So if this project which is being talked about in the abstract in terms of zone changing and all that for retirement community, one of the parcels of land I believe is being looked at is the parcel between Home Depot and Middle Road- "

Supervisor Walter: "Yes."

Marcia Kipperman: "-- and Mill Road. And that borders and right adjacent to my property. Now, I definitely see the need for assisted living, even semi-skilled nursing facility, but in that area and I've lived there for over 30 years, in that area within a two and a half mile stretch on Middle Road, are seven communities for over 55 or maybe 60 or 62. I'm not sure of the age limit on all of them.

And the density of those communities on that stretch of road and adding to that the potential of the construction of this kind of project on that parcel of land which is surrounded by a working farm, a horse farm and my property, to include I believe it's 100 or 105 independent homes for people like me fortunately who can live on their own, we don't-- I don't believe that area needs that number of independent homes.

I definitely agree with assisted living. My father was in assisted living. My parents were in nursing homes, I understand the need for that. And I do not understand the need for additional independent houses on that kind of project.

I know there would be an environmental impact study which was alluded to before and I just really object to the community that I-- or the area that I live in to have this massive kind of project on that 25 acres. It's just not the appropriate place for that kind of project, the extent to which it's being talked about."

Supervisor Walter: "I-- "

Marcia Kipperman: "Now I don't represent all the big vested interest groups. I'm only representing myself. But it really angers me that the prospect of Riverhead continuing to do the kinds of things that they've been doing for the last 30 years and kind of, you know, taking the bucolic farm environment here is really very disturbing."

Supervisor Walter: "But one of the things that you'll be may be happy to hear, is one of the things that I'm hoping for is that our subdivision at Calverton is done by this time next year and that it becomes more attractive for a community to come to Grumman, to Calverton in Grumman, and do something like this because we've got the sewer, we've got the water, and hopefully we'll have with some

of the Governor's help, the infrastructure and this code- don't look at it just for that location.

Because what's going to have to happen is this code is going to be available in Grumman and it would be a change of zone in that location and there will be a public hearing and if our- and I- what's going to happen is the developer may turn around when the town starts offering 25 acre lots for sale and says I'm going to Calverton because they spent two years doing the impact statement. The problem for this and I'm not positive and I'm not going to put words in our town attorney's- planning board attorney's mouth. But there could be a need for an impact statement just to do the change of zone there. It may not be something that would be done by environmental assessment, long form environmental assessment. But I don't know. I'm not going to pass judgment because we're not here to talk about that.

But I want to try and get the best thing for the town in all the locations. So it's not just that one."

Marcia Kipperman: "No, no, I understand."

Councilman Dunleavy: "Can I just say something?"

Marcia Kipperman: "Sure."

Councilman Dunleavy: "This- these are going to be independent living for assisted living. Instead of having a five story apartment building with apartments in it, they're going to have independent living houses. It's going to be no kitchens, no garages. It's not going to be a 55 and older community.

You're putting this with a 55 and over community. This is going to be for people who need assistance. This isn't going to be for people with cars and can drive around."

Marcia Kipperman: "Yeah, but then you are not going to need independent living. Independent living is how I live, independently. I don't need assisted living. So you're confusing me with assisted living and houses having no kitchen- "

Councilman Dunleavy: "Well, instead of being in an apartment building, they're going to be in independent houses, small houses."

Supervisor Walter: "I think what we're trying to do- "

Councilman Dunleavy: "That's what we're trying to get at."

Supervisor Walter: "And as I said, we're not going to let this- this is going to be moved through very quickly. I'm hoping code revision can clear their calendar and finish this- (inaudible), is like, everything goes to code revision."

Councilman Wooten: "You're right. The word independent is- you're independent or you're not independent."

Marcia Kipperman: "Far different than- "

Supervisor Walter: "But the way to limit this is maybe what Mr. Cuddy was saying earlier and what I said about- if you limit it to 800 square feet, the possibility of TDR's, the 1200, you make it- and I didn't know the difference and we'll talk with the town attorneys."

But if you make it that it is- and of course, you've got to be mindful we don't make this so nobody comes, but if you make it more along the lines of a continuing care retirement community rather than a congregate living facility, that makes it more like what Councilman Dunleavy is talking about which is not 1200 square foot Middle Road type facilities."

Councilwoman Giglio: "With cooking facilities."

Supervisor Walter: "I think you'd still have cooking facilities in the 800 square feet but- "

Councilman Dunleavy: "You have a kitchen- you're going to have a microwave or something like that."

Supervisor Walter: "I wouldn't- "

Councilman Dunleavy: "It's not going to be a kitchen where I'm going to cook my meals every night."

Councilwoman Giglio: "That's what I thought I just heard from you is that that's why the meals were thrown into the legislation."

Councilman Dunleavy: "That's why the meals were- right."

Supervisor Walter: "I think you still have-- let's hear from-- did you have anything else?"

Marcia Kipperman: "No, no."

Supervisor Walter: "Let's hear from the next person. Yes, Sandra."

Sandra Mott: "Good afternoon. Sandra Mott, Riverhead. Ironically my field was in housing for about 25 years. Once upon a time they called it elderly housing and-- "

Supervisor Walter: "-- they call it that anymore."

Sandra Mott: "-- I don't know, all these different delineations makes it much more complicated with the thrust of the program and development. It should be on the people who are in need of whatever facilities you're going to provide.

I'm going to reference back to a building that I worked it (inaudible) Health in Boston and it was overseen by a not for profit through the Episcopal Diocese of Boston. And it was a high rise, Back Bay Boston there were other high risers, not too high, about-- I think it was about 15 stories.

Each unit was a separate apartment unit. It had the kitchen facility but it also provided congregate eating in the dining room through the hot meal program."

Councilman Wooten: "East Main Street."

Sandra Mott: "East Main Street?"

Councilman Wooten: "Like the Henry Perkins."

Sandra Mott: "Yes. And I think the problem is that you have this level of definition and this level and this level and this level. It's a little bit too complicated."

Supervisor Walter: "You think?"

Sandra Mott: "I think because-- I wasn't going to say anything but since I used to do this once upon a time for payment I thought I'd put in my two cents for free."

You should have the understanding as well. My understanding, assisted living facilities are not overseen by any governmental agency unlike nursing homes which I don't know, that might have changed. That's what I understood a number of years ago when I attended a forum. That might have changed.

But that's a really important piece of your puzzle here. Because if you're going to provide assisted living which is basically going to be— let's be up front, a money maker for the developer and it's not going to be in a not for profit status."

Supervisor Walter: "Actually we'd rather it be a developer we can charge taxes then, yes."

Sandra Mott: "Well, you are going to pay for it in the other end if you put any facility over in EPCAL because people are going to get sick and you're going to make up for it on EMS, you're going to make up for it on police. You're going to have to expand your facilities for emergency services at the hospital, fire, etc., etc.

So what— are you going to get taxes for it which is a nice concept. Those taxes are going to go right back out the door. So consideration might be made for getting a well established, well informed, well heeled if you want to say not for profit so that you know it's balancing and the balance should always be on who you're trying to help.

And I heard the phrase those people, those people who are on Medicaid. At one point somebody said those people. Well, guess what? I'm one of those people because I had my brain tumor. So I'm a Medicaid recipient not falling into your category.

So remember whether you're one of those people or one of the other people who are more fortunate and able to be— to fend for themselves financially, please understand you're— to be honest with you, it's no different from the animal shelter concept.

You know, the most important person— "

Supervisor Walter: "Did you see our new animal shelter director?"

Sandra Mott: "Pardon me."

Supervisor Walter: "Not director, did you see our new animal shelter ACO?"

Sandra Mott: "No. We'll talk about that later. But I'm saying the format and the concern should only be for what client you're trying to serve. And there are so many programs available to assist the town and whoever takes over this direction.

That's my concern. It's always been the client and I know that (inaudible) House was beautifully run. Again it was-- whether it's through a church or another not for profit type of group, you know, that consideration too.

And I know taxes are very important but as I said you're going to have it in one hand and out the other. So, and if you put it over there, God knows how many people will not make it to Peconic Bay."

Supervisor Walter: "Oh, come on, Sandra. It's not that far, Calverton."

Councilman Dunleavy: "But the problem-- "

Sandra Mott: "It's far enough if you're having a heart attack."

Councilman Dunleavy: "The problem is with a not for profit, they don't pay taxes."

Sandra Mott: "I know that."

Councilman Dunleavy: "We have (inaudible) percent of our money that's off the tax rolls. And that has to be spread out for the other residents and commercial establishments."

Sandra Mott: "I know that."

Councilman Dunleavy: "So it's hard to bring a non for profit in and give them all the services that we do supply them for nothing."

Sandra Mott: "You're going to give the developer the same services. How is that different, whether it's a not for profit, pardon me, or a profit making (inaudible)?"

Councilman Dunleavy: "At least we're getting some taxes from them. They're paying taxes to the town for the services that they're getting. They may-- and there's a lot of places that get over-- look at Splish Splash. When they're open our ambulance goes there all the time."

Sandra Mott: "I know. We hear them."

Councilman Dunleavy: "So, and they're paying taxes and they get over abundance of medical help from the town. We're going to have places like that. And you're going to have places that pay taxes like Stop and Shop. They pay taxes and they don't get all those services. So they have to equal out."

But I think that in the long run, people take things out of context and they go. When you are having a conversation and you say these people, those people, you don't mean-- it's not against them. It's just that you're talking about groups of people. That's all you're talking about.

And I think these things are taken out of context."

Sandra Mott: "Against them because these are the same people who pay taxes, whose circumstances have changed that they are eligible for Medicaid which is being supported through the taxes that they did pay once upon a time."

Supervisor Walter: "Sandra, some people very close to me are about to go on Medicaid so nobody-- "

Sandra Mott: (Inaudible)

Councilman Dunleavy: "So, I mean, you know, my mother and father in law were on it. So I mean I know. It's just a conversation that we're having and I know you have to-- today you have to be correct in saying things and sometimes, you know, when you're talking, you do. But, you know, okay. All right."

Supervisor Walter: "All right. Let's have the next person. Next person. Yes, sir. I was almost going to close the hearing. You guys didn't get up quick enough."

David McLaren: "Not that fast. Hi, my name is David McLaren, I'm a Jamesport farmer. I'm here representing the Long Island Farm

Bureau.

And I'd like to read the position paper that the Farm Bureau has regarding this resolution."

Supervisor Walter: "Is that February 6th letter?"

Councilman Wooten: "I got it twice, but there are two different drafts I got."

David McLaren: "I didn't know you had it at all. This is the one I got this morning, amended one, but it is dated February 6th."

Our comments today reflect the policies of our organization in relation to resolution 964. The Long Island Farm Bureau is a proponent of preservation of farmland and has been an advocate of Riverhead's TDR program since its inception.

The proposed code amendment is contrary to the preservation goals and population controls of the adopted comprehensive plan. While the goals of this amendment are honorable to address the needs of an aging community we do so at the risk of jeopardizing the goals of the plan to protect and preserve the rural character of Riverhead town.

We feel the best solution for these goals to be met housing an aging population and preserving the rural character of the town can be achieved through an open and transparent discussion.

To this end, the Long Island Farm Bureau and the Long Island Business Institute have come together to request a review of Riverhead's TDR program as was dictated within the master plan.

Please take these comments in consideration and we ask that you hold off on passing this resolution at this time.

And the preservation of the farmland has been something that goes back to the '70's and, you know, with a lot of foresight and wisdom created by John Klein (phonetic) and other people and it's done a wonderful thing. It's forever changed the rural character of the east end towns, not only Riverhead but the other towns as well.

And along the way we've added the TDR program which is again created with foresight realizing that the municipalities at some

point are going to run out of money. So this is the tool- "

Supervisor Walter: "We ran out."

David McLaren: "-- that's been put in place and Riverhead was the first because they were the most active in preserving farmland which has, you know, spawned a lot of new, you know, activities out on the east end to preserve the east end which is, you know, agri-tourism as well as preserving farmland, preserving farms and the farmers' ability to stay in business at a time when and a place like Long Island with the costs so high it was virtually impossible without these programs in place.

And our work at this point is not done. There's still over 10,000 acres we want to continue to preserve and without funding available we can't complete that plan. And we want to make sure that we try to complete that plan as possible.

We get no money from the state, no money from the federal government. Everything that's been done in Riverhead and the other towns has been done by the county and the towns locally which we are to be very proud of.

So we- with this TDR program, it's in place. We don't see any point in, you know, dissecting it and changing it at this point because it will eliminate our last potential source of revenue to continue preserving the land.

As you just read, the county is considering, you know, stopping their purchases of open space and farmland by diverting the funds that have been voted in through 2030 into other programs. So- "

Supervisor Walter: "Shame on them."

David McLaren: "-- you know, that's not a good- that's not a good sign for us.

So what do we have left? We have the TDR program and that's it."

Supervisor Walter: "Let me ask you a question, Mr. McLaren. And Mr. Wells, I know he's somewhat conflicted but if you want to get up and talk about this, feel free obviously. And we're going to have lunch. Wells, I'm taking you to lunch so I'll take you to

lunch but you've got to call my office to set the appointment up within the next two weeks. You and are going to have lunch.

Anyway, what about this concept then and we may hear from the other people. But if we did what I said before, if we limited the units to 800 square feet, I don't care, kitchen, no kitchen, that's another debate. And they wanted to go larger than 800 square feet, we would require TDR credits. I don't know if you'd require one full credit to go from 800 to 400, maybe it'd be a half a credit. I don't know. What's your thoughts, either one of you."

David McLaren: "Well, part of the problem with that is we only have so much receiving area and once you use up what's, you know, available in the receiving areas there's no place else to go unless you create more. You know. And that dilutes the value of the farmland preservation program by doing so, by, you know, thinning it out."

Supervisor Walter: "Well, this wasn't a receiving area where this particular project would go. This is actually APZ as I understand it. But if we did what I was saying in Calverton, it would be a receiving- it would be adding a receiving area.

And I'm just, you know."

Lyle Wells: "Yeah, I think with TDR there's a lot of options in regards to how that program can be handled. The conversion rate is very formula driven, both in commercial and residential. The discussion in regards to how to set those- how to set that formula took several hours, several months to decide that this was a fair and equitable way to do it.

When we're talking about assisted living, of course, I think there could be concessions made in regards to the number of units because you're only talking about very small units. In a residential setting we are looking at a 1500 to 1800 square foot average home to be built in this town.

On commercial properties-- we looked at the value of commercial properties in the town, extrapolated that into how many square feet a TDR would be worth and the formula was driven that way. And to be honest with you, first indications of the TDR program that I got back from the planning department, it looks very encouraging, very encouraging.

We've utilized 45 units for residential use and-- out of a total of 190 that have been utilized so far. So the goal of the plan which was to use it on commercial properties is succeeding. It is succeeding."

Supervisor Walter: "Let's-- Rick, I hope you're listening to this conversation because I think-- and, George, I think you're going to obviously be involved.

I'm sort of keyed into this 800 versus 1200 square foot unit because then you could still build the units. You could get the density, but it's smaller-- "

Lyle Wells: "I think the comments that the Farm Bureau made are pertinent though. Now is the time to look at the TDR program, look where we might be able to tweak it. There were some suggestions from the building community that I heard the other day that were excellent that would only improve the program on their end and they're more than willing to participate in this program but they wanted to be treated fairly.

That's the main thing. If one side of the road they're having to buy development rights on a one to one basis and on the other side of the road they're getting as of right unit up to eight units to the acre, that's not fair. So regardless of the housing.

But I think there is a solution and I agree dealing with the aging population is critical in this community.

The one comment I would have to say there is I think by insinuating that these facilities would be for the residents of Riverhead, I think you're being, how should I put it, geographic discriminatory."

Supervisor Walter: "Yeah, we're not. I think (inaudible). No, I agree (inaudible)."

Lyle Wells: "Exactly. If facilities become available and whether it's 30 miles from their home base or wherever (inaudible)."

Councilman Dunleavy: "I was referring, this would be good for the taxpayers of the town. That's what I meant. Okay."

Supervisor Walter: "What I would like to try to do is maybe

it's time- thought we had to look at our TDR program for the first two years I was in here and we hadn't done it so we will try to set that up.

For the eight units per acre that are in more of a institutional setting, I don't know, you know, that's more in my mind, you were saying like an apartment building is what I'm thinking. But there are residential ones. That's where I think you put the credits in because if you're living in a 400 square foot apartment if you will, that's a whole lot different than having an independent residential- "

Councilman Dunleavy: "I thought the TDR program was primarily set up to help preserve farmland and to cut down on school taxes so we wouldn't get the housing and the kids going to school which is very cost- it costs \$18,000 per child to send them to school. So every time we buy development rights, it cuts down on the amount of houses that can be built and it's saving the farm.

That's what I thought TDR- it was for. For two things. This is for senior citizens. They're not going to put anybody in school and you know so it's a different mode of- and we have saved a lot of farms.

We're the most active town in the east end with farmland preservation. And we get the least amount of money because we don't get as much money as Southampton or East Hampton. They get forty, fifty million dollars and we get a million dollars. So I mean the comparison can't be there. We did spend our money and preserved a lot. So I think the town boards have to be given credit, past town boards who started this, for doing it."

Councilman Wooten: "You just don't want to be confused with open space."

Supervisor Walter: "Mr. McLaren, what else do you have?"

David McLaren: "I just have one more thing to add. We have two committees within Riverhead town here, both of which I serve on, the agricultural advisory committee and the farm select committee. And through these process where it affects agriculture, we would like to be included in these discussions so that we can add our input from any other people that have experience and knowledge in the farming aspect anyway.

We agree with these projects. They're sorely needed and we're not opposing them but at what price, you know, what cost where it affects others, you know, in the community too that have been here a long time and have similar needs and goals to achieve."

Supervisor Walter: "All right. What I'd like to try to do is maybe-- "

Councilman Gabrielsen: "Set something up ASAP."

Supervisor Walter: "-- yeah, to see if we can come up with the TDR-- "

Councilman Gabrielsen: "Work on our TDR program, members of the Farm Bureau, both committees, we'll meet here next week."

Supervisor Walter: "And I want to try to get this thing moving at the same time."

Councilman Gabrielsen: "So it's going to run parallel."

Supervisor Walter: "This may wind up getting adopted in some version and then getting re-looked at. But I don't want to let it sit for another 10 months. Quick, that's what we want. Quick. We want to move like lightening."

David McLaren: "Just one last comment. It seems we've opened a door for those that would like to develop in regards to the use of TDR's or not to use TDR's and that is through code amendments. And I would like to as part of this discussion look how we can close that loophole as well in discussion of TDR's as a whole."

Supervisor Walter: "Okay. Anybody else wish to be heard? Mr. Oxman, I know you got up. How are you doing, sir?"

Larry Oxman: "Doing very well. Thank you. Larry Oxman. I've heard the comments by the various people that came up here. I think we've gotten very far afield of where this zoning or this proposed zoning was meant to be when it was first discussed well over a year ago.

I thought that this was supposed to be some type of a floating zone for sites that were appropriate for a combination of assisted living and independent living with the possibility of nursing home.

It seems to have gotten again very far afield.

The previous draft I thought was much more succinct and clear than this current one. This current one I can't make heads or tails of it. Mr. Cuddy I think was very gracious in his discussion about- "

Supervisor Walter: "(inaudible), Mr. Oxman, and I will admit that in the drafts that we went to public hearing on but we'll probably be going back to a more succinct version."

Councilman Dunleavy: "I think when you get multiple people involved, you get different entities coming in and everybody is trying to satisfy everybody so you get the second draft.

I thought the first draft was very simple and more direct than this draft but then we had that meeting where we set up committees and this is what we got after that committee. So sometimes it's not great to set up large committees to do something like this."

Larry Oxman: "I mean the definition as Mr. Cuddy so pointed out, in basic retirement community, I still can't make heads or tails of it, trying to note where there's a comma or the word and and it's just not clear and very often in the definition it calls for you to look up another definition which uses in that definition the first definition that asked you to go look at the second definition."

Councilman Wooten: "There's a reason for that."

Larry Oxman: "And here we are 10 months later. Well, I think, you know, with all respect to the legal department, I'm sure they tried to draft this as carefully as they could.

Actually carrying that thought further, I've looked up the codes for many other towns on Long Island. They're all very, very simple and most of them just simply refer to the state code as far as the definitions for assisted living, congregate care.

So rather than try and reinvent the wheel, their codes, whether it's Southampton town, Brookhaven, Islip, Smithtown, all of them are much simpler and much more clear.

Another point. With assisted living you're adding an age

component. In reality, there are many people in assisted living programs that are well under that age but need to be in that type of a program. They simply can't take care of themselves.

So I think you can call any assisted living facility and find out, in fact, that that's true, not all of their residents are-- most of them are in a senior age but there are plenty that are 30, 40 that have had some type of disability that requires them to be in assisted living.

So I'm concerned about the age restriction.

Again, the assisted living and congregate care, they're highly regulated by the state, whether it's under the social service laws or the public health laws. So I think that they've done a very good job at keeping track and defining that.

And the last comment seems to be about the sewer, that I would encourage that it not necessarily be tied into the sewer district, that you let the health department regulate the wastewater flow, that's what they do. They do it well.

And so just simply-- in the zoning it talks about having to be passed by the health department so let them make the decision whether it's a sewage treatment plant or whether it's hooked up to the Riverhead sewer district, let that be a health department issue.

That's it. Thank you."

Supervisor Walter: "Thank you. Anybody else wish to be heard?"

Councilman Dunleavy: "You know-- Larry, you've been here a long time. And you know nothing is simple in the town of Riverhead. This is four years and nothing is done simply in the town of Riverhead."

Larry Oxman: "Yes. But there is a real demand for this type of housing. The concept is lovely that you have a combination of independent and assisted living together. That's very comforting for people who want to make the transition from an independent unit over to a assisted living and possibly a nursing home.

The concept is good and I think that there's a strong demand.

The other thing is that I think there's a little misnomer about coverage so, you know, right now on a single one acre lot, there's no restriction as far as the size of the home that you could build. So many other communities dealing in coverage, so for instance I had someone that asked for assisted living facility in Riverhead they would like to build, they didn't tell me how many beds they want, they didn't tell me how many units. They wanted to build a 120,000 square foot building.

So if you were to talk about right now I think in the APZ and other residential areas, there's a 15% coverage. So for a 15 acre tract which is the minimum size that this zoning contemplates, you can build about 100,000 square foot building. And that's only taking 15% of the property.

So it's not that it's going to be a sprawling campus occupying all the property. That's really not true."

Supervisor Walter: "Thank you, sir."

Larry Oxman: "Thank you."

Supervisor Walter: "Yes. Yeah, of course."

Ronald DeVito: "Good afternoon, Mr. Supervisor."

Supervisor Walter: "How are you doing, sir? Just state your name for the record."

Ronald DeVito: "My name is Ronald DeVito. And in the interest of full disclosure, I'm a developer of these kinds of senior communities and I will be looking to make an application if this code is (inaudible).

I'd like the opportunity to address a lot of the comments that have been made by (inaudible) with your permission."

Supervisor Walter: "Please do."

Ronald DeVito: "But just let me take a moment or two to address some of the things that stick out in my mind. There is a very, very important reason to combine independent living units with assisted living and advanced assisted living.

In order to do affordable units you need the independent living part to subsidize the other parts of the facility. So, Mr. Supervisor, when you reduce the size of the independent unit, you interfere with that ability to earn enough to subsidize. So I think the model that I've been talking about is very important to use.

There are other things I'd like to discuss in writing. But the way, excuse me, there's a- the idea that there is no oversight is wrong. Assisted living is overseen by the state and they visit and inspect two or three times a year. It is (inaudible). They are thorough. There is- everything about these operations are governed by the state.

Just to give you an example. We have to weigh our residents every month, every single one and if we don't- and that's just one example of a requirement. We have to be very much aware of their condition."

Supervisor Walter: "Let me ask you a question. If you're in the independent 1200 square foot home, you have to have a weigh in?"

Ronald DeVito: "No. For the assisted living licensed facility."

Supervisor Walter: "Okay, so I'm going to ask the same question again. You have to have that license but you have a certain number of these people live in 1200 square foot houses, condos, with kitchens and whatever else they have. Do they get weighed in?"

Ronald DeVito: "No."

Supervisor Walter: "But that's part of the assisted living--"

Ronald DeVito: "The independent living units are not licensed."

Supervisor Walter: "Okay."

Ronald DeVito: "So the reason for the size of the independent living units is to be able to charge enough to- in an operating margin that allows us to use a lot of those funds to subsidize the more expensive facility, such as assistant living."

So for example, in a dementia care, you won't find a facility anywhere on this island that does it for less than \$5700 a month. I want to do it for no more than 5,000. I need the independent living units with those nice operating margins to subsidize that kind of unit."

Supervisor Walter: "Right. We understand that."

Ronald DeVito: "When you reduce the 1200 to 800 I can't charge enough to take advantage of those operating margins."

Supervisor Walter: "The problem for us and this has been the problem the entire time. It's not been necessarily the definitions of what this is or what that is, is density because this town doesn't allow in most cases more than one unit per acre. There's places where you can get four units per acre but it's with TDR's.

So we're struggling because we're not a town that has high density areas and we don't ever want to be that town so we're as a board trying to struggle with where this works and we don't know your business model but we know you are buying residential zone property which is going to have a whole lot lower cost than say if you bought Route 58 property or even a potential if you bought property at EPCAL. I don't know, we don't have any prices on that yet.

And so, you know, there is-- and I'm not saying we want to be in your pocket or a give away but we're trying to balance that lower density for a rural town with what you might normally be able to obtain in Smithtown or something further-- towns further west.

And that's the problematic part."

Ronald DeVito: "But you see, and I can tell you because I've studied this for years, all zoning authorities or most of the zoning-- all of the land institute recognize this model has a public benefit.

But the only way that you can achieve the affordability aspect is by utilizing the economy (inaudible). So density becomes important because if I can build a kitchen for 100 people, I can serve 200 people for the same prices for the cost of 100 people.

So I need that kind of density to break down the per capita

cost."

Supervisor Walter: "I understand-- "

Ronald DeVito: "So by very nature senior communities have to have some form of density otherwise I can't get those (inaudible).

Now I can tell you this. I'm a member of an organization that serves this industry on a national level as consultants. Everybody has come to New York because of the affluent communities here. Everything on this island is designed for high end projects.

In the town of Riverhead, there are no assisted living facilities. Zero. None. You have-- the Nielsen Company (phonetic) is projecting for Riverhead over 8,000 people over the age of 65 by 2014. And I can tell you that nobody will come here to build an affordable unit except me."

Supervisor Walter: "Okay. I don't know if that's true but-- "

Ronald DeVito: "Well, I hope there are others and I hope and what I try and say all over the place is let's try to do affordable models. Because of the economy, it's necessary."

Supervisor Walter: "I don't know what you're paying an acre for the 15 acres. I don't know whether you own it. That's not my business.

But it all comes down to the economy of the project, the economic-- the economics of the project have to work. This can work in places like EPCAL. This is where I'm hoping one of the things that happens and I suspect that when EPCAL was open and you can do something in a time frame of 75 days if we get our special state legislation passed, you may have more competition in this town than anybody wants because it will be something available there."

Ronald DeVito: "I think that's fine."

Supervisor Walter: "So I mean, you know."

Ronald DeVito: "I really do because you're going to have a lot of people over the age of 65 and there's enough for more people to come in and do what we want to do.

But again I go back to the need potential and by the way, this area near what is now in this code, I think is very advantageous. People want to be near shopping. I don't care if they're independent or assisted, they want to be near shopping. They want to be near centers, commercial centers.

And so I think this is an ideal site that I am proposing but I think there are others also that could be ideal. But I think these principles that I talked about are extremely important to consider when you're formulating this code."

Supervisor Walter: "You just have to figure out where your bottom line is and hopefully get the code in that spot. We're working on that.

John's got a phone call. John, do you want to take that?"

Ronald DeVito: "With that, I'll excuse myself."

Supervisor Walter: "Thank you, sir. We'll leave the comment period open. Does anybody else wish to be heard?"

Kevin Baraso: "Hi. My name is Kevin Baraso and I actually had a question about the independent living. I think Councilman Dunleavy had said something about only microwaves."

Councilman Dunleavy: "Well, that was my thought when we started, that this was going to be an assisted living community."

Kevin Baraso: "But independent by the definition- "

Councilman Dunleavy: "Well, yes. I just- I don't want people to come there to live and stay there and be cars."

Kevin Baraso: "The next question would be are they going to be rentals or sales?"

Councilman Dunleavy: "This is a place where they need assistance in living. That's my- that was my- "

Kevin Baraso: "I think they would have to clarify the independent living definition without a doubt."

Councilman Dunleavy: "I think the first draft was a little

bit better than the second draft, so- "

Kevin Baraso: "And would these be rentals and sales or just rentals?"

Supervisor Walter: "I don't know that we cover that business (inaudible)."

Does anybody else wish to be heard? Larry, you look very dapper today."

Larry Oxman: "I thank you. I just- I received an e-mail from Mitch Paley (phonetic) because there was an article in one of the local publications talking about LIBI's support in opposition, Long Island Builder's Institute support in opposition of this resolution and I just wanted to say that I'll read this."

Supervisor Walter: "LIBI supports it."

Larry Oxman: "No. Supports the resolution or- "

Supervisor Walter: "Supports the zoning."

Larry Oxman: "I think they take no position. So, but, it was incorrectly reported that they were opposed. So clearly they are not taking the position."

Supervisor Walter: "Okay."

Larry Oxman: "And then the last comment. Remember that this is a zoning change that has to fit the town and I don't think it's appropriate for people to necessarily speak about one specific parcel because this is not spot zoning. This is- "

Supervisor Walter: "But it's not a floating zone. It's going to either be permitted in certain zoning areas and the reason I say EPCAL is because we studied it in the RKG study so it's probably going to be allowed in EPCAL. In other places, I think it's going to be by change of zone. I'm not a big fan of floating zones."

Larry Oxman: "Change of zone to retirement. Has the board considered just creating a new code that- or a new zone so that you already have people that have vested interest in RC zoning. Most of them are built. And this affects them in some fashion so I had

suggested a while ago that you just simply create a new district that completely addresses assisted living, congregate care, and independent living. So- "

Councilman Wooten: "Well, the master plan does point out a few different areas but- it's the RC."

Supervisor Walter: "It may be different in the EPCAL zoning because I don't think we would adopt the RC model with the single family residential model (inaudible)."

Larry Oxman: "You keep on coming back to EPCAL and clearly the master plan talked about this type of use throughout the community."

Supervisor Walter: "Yes, it did."

Larry Oxman: "It did talk about being in close proximity to commercial nodes, whether it's Route 58 or it's Aquebogue or it's Jamesport or Wading River."

Supervisor Walter: "I don't agree with the master plan. Did you miss that someplace in the last two years?"

Larry Oxman: "I'm sorry?"

Supervisor Walter: "I said I don't agree with a (inaudible) of the master plan. Did anybody miss that?"

Councilman Wooten: (Inaudible)

Supervisor Walter: "Yeah, there was a word I used but I won't use it again. There is so many misguided things in the master plan and I believe this is one of them. This is a high density institutional use that does have obviously a residential component in the model that Mr. DeVito wants but it's not something I want to plop in the middle of Aquebogue or Jamesport, Wading River or Calverton."

Larry Oxman: "Well, again, you know, here's what's funny. Is that you would allow an office building in those areas of a certain coverage, whatever as of right, but yet if that same office building had units inside for residential use, you wouldn't consider it."

What's the difference from looking at an office building than- I don't mean to be challenging but- "

Supervisor Walter: "You can have that opinion. I have an opinion that there are certain areas of the town that are more densely populated with- this is to me a quasi-commercial use. It should be in a quasi-commercial district, not our hamlet centers."

Larry Oxman: "Well, you know, I- maybe when you're a little older, you might feel differently about wanting to be in a very lovely hamlet. But I just think that- "

Supervisor Walter: "Calverton is going to be beautiful."

Larry Oxman: "-- but there's no- there's really no commercial area as of yet. Maybe there will be in 20 years from now. But I think that the appropriate locations go back to where the master plan talked about having a higher density and that's in close proximity to commercial development, so, or other- "

Supervisor Walter: "(Inaudible) really in close proximity to commercial development. Just ask everybody in Wading River."

Larry Oxman: "All right. Thank you."

Supervisor Walter: "Thanks, Larry. Anybody else? Okay. Let's close out the public comment portion of this meeting and hold it open for written comment until Friday, February 17th at 4:30 p.m. in the town clerk's office."

Public hearing closed: 3:32 p.m.

Left open for written comment for 10
days to Friday, February 17, 2012

Public hearing opened: 3:32 p.m.

Supervisor Walter: "All right. The next public hearing, 2:10, having arrived quite some time ago, we're going to open up the second public hearing and this the consideration of a local law to amend Chapter 95 of the Riverhead town code entitled taxation and this is exemption for volunteer firefighters and volunteer ambulance

workers.

And, John, did you want to say something about this?"

Councilman Dunleavy: "This is for firefighters that live in the town of Riverhead but do their firefighting or ambulance corps for Manorville or another facility that's not in the town of Riverhead.

So all we're doing is making the exemption for an ambulance or firefighters and their families that do not- that do it for another town and live here.

So basically that's it."

Supervisor Walter: "Who drafted this? I'm looking at- "

Councilman Dunleavy: "We did have an exemption years ago and it was taken out and the people that had- Annmarie wrote it."

Annmarie Prudenti: "I drafted it."

Supervisor Walter: "Go ahead, Annmarie, if you want to just- "

Annmarie Prudenti: "Essentially what the amendment proposes to do is expand the exemption for volunteer firefighters and ambulance workers whose primary residence is within the county.

Previously it was limited to the township in which the volunteer firefighter or ambulance worker worked. Now it expanded to the county.

The other provision set forth before you, I actually made corrections to 95-38 and 95-38.1 because at the time those were adopted in 2006 or the town actually thought they adopted those provisions, they truly did not.

What they simply did was recited statutory law saying essentially that if the town were to make a declaration and adopt a local law, so the way those sections were adopted were actually in error.

So the second part is for a correction on the- "

Supervisor Walter: "This is for the un-remarried spouse?"

Annmarie Prudenti: "Yes. Yeah, that was an error."

Supervisor Walter: "Okay. Is this what other towns do, do it county-wide?"

Annmarie Prudenti: "Yes. And essentially Mason Haas prepared a report for me. There are 15 property owners- "

Supervisor Walter: "Who is Mason Haas? Oh, there he is."

Annmarie Prudenti: "There are 15 property owners in the town of Riverhead who would qualify for this exemption so we're adding 15 individuals and approximately the dollar impact to the town of Riverhead would be less than \$3,000.00."

Supervisor Walter: "Okay. Who- mostly Manorville people, Mason?"

Mason Haas: "Excuse me?"

Supervisor Walter: "Mostly Manorville people?"

Mason Haas: "There's some Manorville, some other people who moved in from up the county. There are other towns- "

Councilman Dunleavy: "Could you get up to the microphone please?"

Supervisor Walter: "Yes, come up to the microphone."

Mason Haas: What's happened over the last few years is that review of the rolls, we found that there were some people who had moved to the town who had given over 20 years service to the fire, ambulance services up island and they moved out here and one of the options of the law was that the towns could adopt to grant it to those who have over 20 years of service. It's a lifetime exemption from that point and the towns have a local option to adopting it to grant it.

The county already grants it and left it up to each town and each school district to go ahead and grant it to those that didn't serve in that town but the town would have the option to grant it if

they've given more than 20 years in Suffolk County of service."

Supervisor Walter: "Okay."

Mason Haas: "And that's where this came from. It actually came to light-- a gentleman from Manorville who lives in Riverhead has been in Manorville all these years and didn't want to change for whatever reason why he was in Manorville. It could have been that he lived in Manorville at one time and he didn't want to move out of the department.

Because if you move from one town to another even though you're in the department, you want to continue with department service, you then have to come out of the what's called the LOSAT program and wait five years to go back in to it so it affects them in that end.

This gentleman happens to live in Riverhead and he got the letter from us being removed from getting the town exemption because we did not adopt it and that's what brought this to light.

We did a study, we saw that we're roughly talking about 15 homeowners that have moved into town that didn't serve the town and the impact like she said would be less than \$3,000 if you were to adopt it."

Supervisor Walter: "Okay, thank you. Does anybody else wish to be heard? Not seeing anybody we'll close the public portion and leave it open for written comment until February 17th at 4:30 in the town clerk's office."

Public hearing closed: 3:37 p.m.

Left open for written comment for 10
days to Friday, February 17, 2012

Public hearing opened: 3:35 p.m.

Supervisor Walter: "And we have a third public hearing, it's supposed to start at 2:15; 2:15 having arrived, consideration of a local law to amend Chapter 52 of the Riverhead town code entitled building construction.

George, did you- "

Councilman Gabrielsen: "Yeah, I'd like to comment on this. This concerns getting a building permit in the town of Riverhead. The existing code says any work done over \$3,000, most people probably didn't realize this, you need a building permit. Okay.

So we felt that was quite outdated so what we did is we took the dollar amount out and that included whether you put roofing on, siding, there's a lot of things that everybody's been doing that by town code you need the permit.

So what we've done is we took the dollar permit- the dollar amount off and we made certain exceptions. One would be roofing, re-roofing; another would be siding, and ordinary repairs.

So basically what you get a permit for now would be structural changes and electrical. So pretty much it took a lot of burden off the homeowners and people in the building trade.

So I think this really makes sense, it's a commonsense approach and needed to change."

Councilwoman Giglio: "And it was discovered in code revision that our code was actually more restrictive than the state code which we can't be by law so we had to change it to \$10,000 and that's when Mr. Gabrielsen said, well, why are we putting a limit on it at all. If you're doing ordinary repairs and maintenance and it costs more than \$10,000 why should you need a building permit.

So it's this town board's effort to make it easier on the taxpayers and the people that live here, not more difficult so if you're doing ordinary maintenance repairs or adding roof shingles, not redoing the whole roof, you would not need a permit for those things, even if it was more than 10,000 or 3,000 which is what it was."

Supervisor Walter: "Okay."

Councilman Gabrielsen: "And I would like to point out this is for residential only. It's not commercial."

Supervisor Walter: "Kudos to code revision and Councilman Gabrielsen. Didn't you drag him into code revision, Jodi?"

Councilwoman Giglio: "We did. And also I see Landmarks Preservation here because there has been some confusion of homes within historic districts which we have also incorporated into this legislation to be perfectly clear that if you are within a historic district and you are making significant changes to the home that you would come- that you would comply with Chapter 73 of our code which refers to historic structures or landmarks preservation.

So, Richard, I know you wanted to say something about that. Because we were having difficulty in code revision on how to word this legislation and I showed the town attorney your latest remarks if anybody wants to take a look at that, so where we would just- because you don't always need a permit. So Richard cleared it up and Bob likes it, so- "

Supervisor Walter: "All right, what is it?"

Richard Wines: "I just have a comment on just one sentence. In 52-6A which mentions the landmarks preservation code and just to preface this, as you all know, the Landmarks Preservation Commission, one of our main concerns is to make sure that residents in this town get the many benefits of historic districts, you know, increased property values, better business opportunities and assistance in revitalizing areas like our downtown.

Wanted to get the benefits with minimum of burden. And I find the language that's proposed in 56- I'm sorry 52-6A to be a little confusing."

Councilwoman Giglio: "It's the first paragraph after the definitions."

Richard Wines: "Because what it says there is- I'm worried about the sentence in A that says, no person, and I'm skipping a little bit, shall commence any work without first obtaining or building a demolition permit separate and distinct from that required by Chapter 73 and 108 of this code entitled Landmarks Preservation zoning.

What I would recommend respectfully is that we take that last bit of that sentence out and take it and put it in the beginning of the next section which is B. So it would read there, unless there is a separate and distinct requirement in Chapter 73 and 108 of this code entitled Landmarks Preservation zoning, the following are

exempted from the provisions."

Supervisor Walter: "And you know I think that's fine. We wouldn't have to go to public hearing because— "

Robert Kozakiewicz: "I think it wouldn't be a substantive change and this is one of the issues that we went back and forth on because the question that always comes up, and I know your point that not all work that's within a historic district or within a landmark structure necessarily implicates or requires a permit. It can be instances where it's not required.

One other thought was to put in from that as otherwise required by Chapter 73 or 108, so that it would imply that it's not an absolute if that helps clarify.

I understand the concern and it was, you know, something brought to my attention."

Richard Wines: "I just want to make sure this doesn't have the appearance of being a burden because in fact the exemptions that are there, there's almost no conflict— "

Supervisor Walter: "Richard, you're never a burden nor is your committee, neither, nor."

Richard Wines: "Hopefully not me."

Supervisor Walter: "Well, let's— I think we can make that change if the board was inclined on adoption because it's not changing anything, it's just changing the order of words. Unless Sal has a problem. Sal— "

Sal Mastropaolo: "Actually I have a question. First of all I apologize because I didn't read the change but I do have a question.

If you re-roof a house, are you saying now that you need a building permit?"

Councilman Gabrielsen: "No, you don't. Before you did."

Supervisor Walter: "Right now today you do if you're over \$3,000."

Robert Kozakiewicz: "The current code requires a permit for anything that exceeds the amount of \$3,000."

Sal Mastropaolo: "You can't even get them to rip off a roof for \$3,000."

Robert Kozakiewicz: "It further states that it can't be a structural change. Anything structural regardless of the dollar amount requires a permit."

Councilman Dunleavy: "But we researched that and you can't re-roof your house or side your house for under \$3,000. So everybody would- so that's why we want that taken out."

Sal Mastropaolo: "Okay. So if the change is made, if you re-roof your house you don't need a building permit."

Councilwoman Giglio: "When you refer to re-roof, if you're ripping off all the tile and you're ripping off the plywood and you're ripping off- "

Sal Mastropaolo: "No, no, no, no."

Councilwoman Giglio: "Okay. Re-roofing- "

Sal Mastropaolo: "There are certain shingles, they will not warranty them if you put them over the existing roof. So if you get an estimate for a re-roof what I mean is you rip off the old shingles and you put new shingles. You don't change any plywood, you don't change any structure."

Councilwoman Giglio: "Good."

Sal Mastropaolo: "Thank you."

Councilman Dunleavy: "As long as you don't change any structure then you're okay. That was the bottom line. Why put a price on it, as long as they don't change any structural to the house, why get a building permit."

Sal Mastropaolo: "Okay, thank you."

Robert Kozakiewicz: "Just to further the comment. There is an addition of numerous definitions which include the definition of

re-roofing, roof cover and things like that that will hopefully further explain and clarify when is it re-roofing, when is it something more that would require a permit. But your example would not require a permit."

Sal Mastropaolo: "Thank you."

Supervisor Walter: "Okay. Anybody else wish to be heard on this issue? I don't have my glasses on. Is that labor back there? Are you guys from the labor union? Good stuff we're doing here today to help out your- we can move on. It's 4:00.

Nobody else wants to comment- did you want to make a comment on this? Well, let's close this. You can make a comment on something else. We're going to close the public hearing unless you have something specific to this public hearing. Okay.

Then let's close that. We'll close the public hearing, leave it open for written comment until February 17, 2012."

Public hearing closed: 3:45 p.m.

Left open for written comment for 10
days to Friday, February 17, 2012

Supervisor Walter: "Now we open it up for comments on resolutions. You have a comment on a resolution? You have a quick comment you want to make? Come on up, make the quick comment.

How are you doing today, sir?"

Peter Zarcone: "Good. How are you doing? Actually my comment, I'm sitting here listening to all the things about construction- "

Diane Wilhelm: "Could you say your name for the record?"

Peter Zarcone: "My name is Peter Zarcone."

Diane Wilhelm: "Thank you."

Peter Zarcone: "You're welcome."

Supervisor Walter: "Sorry, Peter. I didn't have my glasses. I can only see to about the second row."

Peter Zarcone: "Well you did pretty good. One of the things that I'd like to just address to the town board is something that is important to, you know, we talked today about the senior citizens and the elderly and the one thing that I'd like to talk about is the opposite end of it and that's the youth and it has to be with apprenticeship language.

And it's something that I'd like to put on the record here with the town that I'd like you to take some considerations on, you know, putting a public hearing together and a resolution to adopt apprenticeship language in the town of Riverhead so that we can not only help our senior citizens, you know, with their housing needs but we can also help our youth.

And one of the important parts about the apprenticeship just to give you a quick comment is that you know we lose our children to all different areas. They get educated and they leave. But the apprenticeship programs do guarantee that the apprentices stay within Long Island and it also helps eliminate out of state contractors and just the out of state workers coming in to take our jobs.

So being that Riverhead is going to have a great growth, I think that is something that this town board should really take a look at and possibly adopt.

That's basically where I'm at right now and if you have any questions, I'd be willing to take them."

Supervisor Walter: "I owe you guys a meeting. I was going to take two council members-- one council member because it's all I can do, sit with maybe you and Mario Matera (phonetic). I didn't know who from labor, and ABC (phonetic) and try to hash out the two of those things."

Councilman Dunleavy: "I'm in favor of that because it's teaching our youth different entities in carpentry, in welding, in plumbing where they do not get that in school.

I thought that you and somebody else was supposed to come last year, we were supposed to sit down and discuss putting something

together."

Councilman Wooten: "I think we have some language together now and I'll let you look at that and (inaudible)."

Councilwoman Giglio: (Inaudible)

Peter Zarcone: "Well, I'll give you an idea. Brookhaven recently adopted apprenticeship language in the private sector as well. So that's of 100,000 square foot. So any developer that would come into the town and would be willing to build a project of 100,000 square foot on a private development would be required to follow the apprenticeship language."

Councilman Dunleavy: "Yeah, I think that's what we're talking about."

Councilwoman Giglio: "Or prevailing wage."

Peter Zarcone: "Well, the apprenticeship language on that, it's a large building. Hotels, it could be a Wal-Mart, it could be a Home Depot, so that's designed not to hurt any other small developers that would be work. Because 100,000 square foot is a large number and also on the public projects of anything over 250,000 would be— have to follow the guidelines of the New York State Apprenticeship program."

Councilman Dunleavy: "Actually I had a talk with Lowes and they use union and apprenticeship people when they build and there's no problem with it. They want to teach the kids or the children, young adults. You have to watch your language. People pick up on these little tiny words and they make mountains out of molehills."

Supervisor Walter: "You can call me a young adult."

Councilwoman Giglio: "You can call me a kid."

Councilman Dunleavy: "Anyway they want to teach these individuals trades and that's what we're here for."

Peter Zarcone: "Well, what I'd like to make a mention, you know, it's called apprenticeship language but really what— it's continuing education. It's really for people who don't go to college and would want to get some sort of a trade."

There's nobody here who wants to have somebody not educated and especially you have to consider what we're talking about. We're talking about buildings, we're talking about, you know, places where people are going to occupy. I just think it's more important to have people who are skilled and educated in the work that they do and I think that it would only benefit the town."

Supervisor Walter: "How many towns have the apprenticeship program now?"

Peter Zarcone: "I will tell you Brookhaven town was the last to adopt the private but they have both public and private. The town of Islip has public. Smithtown has public. Babylon I believe has public. Oyster Bay. Long Beach has both public and private."

Councilman Wooten: "Suffolk County in general has- "

Peter Zarcone: "Suffolk County has it, Nassau County has it. Actually Nassau County adopts any project over \$3,000,000 that they have a project labor agreement which is something the town could also adopt at a dollar value.

But pretty much all towns have it."

Councilman Dunleavy: "Like I said, we have to sit down and discuss it."

Peter Zarcone: "Excuse me."

Councilman Dunleavy: "We've got to sit down and discuss it."

Peter Zarcone: "That would be- I'd welcome that. Thank you."

Supervisor Walter: "All right. Thank you, sir. Appreciate your coming out."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "All right. Does anybody wish to be heard on resolutions? Tara, you want to be heard on resolutions? All right. I guess we'll call the resolutions."

Councilman Dunleavy: "Can I make a motion that we close the town board meeting and open the CDA meeting?"

Supervisor Walter: "Okay, I may want to table. I was going to table that one."

Councilman Dunleavy: "Well we have to open it up anyway to table it."

(Some inaudible comments)

Robert Kozakiewicz: "I will also note that on Resolution 106, the second page which is the date of adoption, we just need to amend it to reflect today's date, which shows a January date."

Supervisor Walter: "All right. So we're not going to open CDA because I want to read that because I didn't get a chance to do it."

(Some inaudible comments)

Supervisor Walter: "All right, Diane."

Resolution #77

Councilman Wooten: "77 amends town board Resolution 44-2012 authorizes attendance at the government finance officers association annual conference. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #78

Councilman Gabrielsen: "Animal shelter donation fund 2012 budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes."

(Inaudible comment)

Councilman Gabrielsen: "I just want to say some of this money came from our hunters this year, the hunting program gave donations so contributed (inaudible). Yes."

Supervisor Walter: "That was a very successful program."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Didn't I vote already? Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #79

Councilwoman Giglio: "Calverton park community development budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Ballfields. Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is for the study at Calverton park."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #80

Councilman Dunleavy: "2011 Bryne memorial justice assistance grant budget adoption. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #81

Councilman Wooten: "It's a 2012 general town Grumman memorial budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Did this come from the hunters, too? Yes."

The Vote (Cont'd.) "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #82

Councilman Gabrielsen: "Amends town board resolution #812-2011, general town Grumman memorial budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "And this also didn't come from the hunters. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #83

Supervisor Walter: "All right. Before you call this, this is the one we left it in. I would- I understand that the board's

probably not going to support this but I would rather see— there's a shortage of money apparently in the drainage fund for the highway department and I would rather see that this \$12,000 goes into the drainage account so that we can do some of the drainage projects. That's not what the highway superintendent wants.

But considering that, he's come to the board and he's got over \$30,000 worth of drainage— probably \$35,000 worth of drainage projects and twenty something thousand dollars worth of drainage money. If this went into that fund, he could do the drainage projects as opposed to buying what I understand he wants to buy is cameras for his town garage.

And so I'm asking the board to amend this to put it into a line that is— that he uses for drainage but it's up to the board."

Councilwoman Giglio: "And I would just like to say that the highway superintendent has done other work for the town above and beyond his call of duty and what he's required to do as the highway superintendent. And in exchange he was going to be paid from other departments and from other revenue sources other than what he was budgeted for.

And he said that with that agreement he wanted to spend the money the way he wanted to run his department and the only thing that I asked is that when he was looking at the acquisition of purchasing cameras is that he went to the business improvement district which I knew was also seeking bids for the installation of cameras downtown and he said that the BID has been working on that for several years and this is something that he has a need for right away and did not want to tie into any other agency because other agencies can hold up the process and he just wanted it to get approved.

And I thank him for the work that he's done above and beyond what he's required to do and I acknowledge the agreement and, you know, the drainage projects that he's undertaken this year are more than what he anticipated doing is what he's telling me.

He said that there were other projects that were put on the table that he didn't anticipate doing this year. And he said that he would do it."

Supervisor Walter: "That's not accurate. I mean, Jodi, he's

not being accurate. Every one of these drainage projects was on the table, they've been on the table for years. I started talking to him from the day I started working here as town supervisor. I gave him all the money he wanted in his drainage budget.

I didn't shortchange him. He did not ask for enough money in his drainage budget and so now it's time to do the projects. He wants us to take money out of the general fund to do drainage projects and I'm just saying- and I know he has to run his department, but if it comes to cameras in his highway yard when- or putting drainage equipment in, I think that the drainage- not drainage, finishing these draining structures, I think the residents are more well served doing drainage.

Every one of these projects is over 10 years old, drainage projects."

Councilwoman Giglio: "Well, he told me that he will find the money within his budget to finish the drainage project on Sylvan Drive and that he will find the money and he will not be doing anything that we ask him to do as far as work outside of what he would normally do like taking down the Weeping Willow hotel at a cost to the taxpayers because when we tell him that we're going to give him the money and he can spend it where he sees fit and we don't give him the opportunity to do that, that it's not even worth his while to do those projects because it sets him back in other areas that he's designated his time for.

So I support this- "

Councilman Wooten: "I think we should call the resolution."

Councilman Dunleavy: "I just want to say something."

Councilman Wooten: "And I'll say something- "

Councilman Dunleavy: "-- okay. I just think that he is an elected official. He is responsible for his money and how he spends his money. I don't think we should micro-manage that department. I think the public is going to manage that department by if they don't like what he's doing, they won't vote him in next year or when he runs and if they do like what he's doing, they'll vote him in.

Our job here it to get him some funds to operate and if we cut his funds back for any reason and he'll have to find other funds.

He has and he's working today over at the building department. I saw his trucks over there so we don't have to pay a contractor to smooth out the parking lot before paving. He has his trucks over there. They were doing it for us.

So when we ask him to do something, he usually does it. He took down a house on Kay Road for us that was fire damaged that we didn't have to go out to bid for. So he's done other things.

I just don't think that-- we give him the money, let him manage his own budget and if he runs out of money then the public can get after him. If he doesn't run out of money, that's great. But I think he is doing a fairly decent job so I have to go along with what he says."

Councilman Gabrielsen: "I'd just like to point out, John, I don't know-- maybe I don't have this right. This money isn't coming out of budget. This is coming out of the town's general funds."

Supervisor Walter: "Correct."

Councilman Gabrielsen: "In addition to what he's been given and what I see sometimes seems to be fiscally irresponsible-- irresponsibility on his part because this town board has asked for a priority list, again, what projects you're going to do. We have been given nothing and it-- sometimes it seems like he intends to wing it.

I think (inaudible) responsibility to the taxpayer-- we have the responsibility to watch the general fund."

Councilman Dunleavy: "No. (Inaudible) Kay Road, he's doing the parking lot and we have to give him some (inaudible) funds for doing that."

Councilman Gabrielsen: "I think it's a priority thing here kind of. I think (inaudible). From walking around, people, neighborhoods, there's these drainage sumps all over that haven't been touched. And you just keep on doing things, buying trucks and we still don't get down to one of the most important things that trickles down back to the constituency which is these projects."

Supervisor Walter: "All right. Well, we've all had our say. Call the vote."

Councilman Dunleavy: "I second this."

(Inaudible comments)

Councilman Gabrielsen: "Oh, wait a second. Do we have an option- "

Supervisor Walter: "We can amend it. We can (inaudible). And Scott's got to go get the numbers."

Councilman Gabrielsen: "We can still give him for the lights (inaudible), now he can show us he started these projects. We're not killing the project with the security cameras."

Councilman Wooten: "It's not our job. That is not our job and I'll argue that one when it comes to my vote. I disagree with you."

Supervisor Walter: "You're wrong. I'm the CFO for the town."

Councilman Wooten: "You're the CFO for the town; he is the CFO for the highway budget."

Supervisor Walter: "I set his budget."

Councilman Wooten: "We set his budget. He runs his budget. You're saying highway law gives him the authority (inaudible)."

Supervisor Walter: "Outside of his budget, Jim."

Councilman Wooten: "This is for services rendered to this town to save this town money."

Councilwoman Giglio: "Right. That's right. It is. And services that he has not been paid for and he's asking when you pay me, I want to spend it on this and you're telling us- "

Councilman Wooten: "This is above and beyond to save the taxpayers money, we don't have to go to outside contractors."

Supervisor Walter: "Actually, no, you're not correct, Jim."

Councilman Wooten: "Well of course I'm not correct because you're trying to make a point that is invalid. It's still his authority to spend this."

Supervisor Walter: "It's not the taxpayers money. This was money that was assessed, when they took Kay Road down, this was money that was assessed one taxpayer to take it down. And quite frankly- "

Councilman Wooten: "For the highway department (inaudible)."

Supervisor Walter: "Right. It took four months to get him over there to do it."

Councilwoman Giglio: "He said that they had to wait for LIPA, they had to wait for the sanitary system (inaudible)."

Councilman Wooten: "They went up to secure the building because there was a problem with kids getting into it, secure the building until they could get everything done that had to be done in order to demolish it."

Supervisor Walter: "I'm just asking for a priority list. I've been asking for it and I'm going to ask it for the next- "

Councilwoman Giglio: "And he assured me that you will have it over the next couple of weeks. He said that he needs these cameras to go in. This is paying him for work that he's already done outside of his budget. It may be coming out of general fund but it is money that we've received into the general fund that we didn't anticipate on getting."

Councilman Wooten: "For services rendered."

Councilwoman Giglio: "Because we thought we were going to have- if we weren't paying him, we'd be paying a contractor."

Councilman Dunleavy: "In the end this is saving the towns people money, because these are security cameras. His vehicles have been damaged and we, the taxpayers have to- the cost to repair those damaged vehicles, whether it's sugar put in the gas tanks or sand put in the gas tanks, things are happening."

Supervisor Walter: "John, I don't know that that's true

because when I checked there was no police department- "

Councilman Dunleavy: "Well, he didn't make any police department report on it."

Supervisor Walter: "So if somebody damaged a town vehicle, why would a police report not be filed?"

Councilman Dunleavy: "He's an elected official. I don't know."

Councilwoman Giglio: "Maybe we should put a police in place saying that vehicles- "

Supervisor Walter: "There is a policy in place. He's supposed to."

Councilman Wooten: "Listen, let's call for the vote. Why are we bashing this thing around?"

Councilman Gabrielsen: "Councilwoman Giglio said that she was promised in two weeks a list of these projects. Correct?"

Councilwoman Giglio: "Yes. Yup."

Councilman Gabrielsen: "Well, let's put his feet to the fire. We'll hold this vote up for two weeks."

Supervisor Walter: "That would be fine."

Councilman Gabrielsen: "And that's- you get it, then we'll see. Everyone- he said, she said. Then I'd be willing to support it."

Councilwoman Giglio: "You know what? There comes a time where you have to trust what somebody tells you and as an elected official, I believe that I can take him for his word and when he tells me that he realizes that this is a priority, that he needs to put together this list and that he will put together a list over the next couple weeks, I have to take him on his word."

And I agree with John. I think he's doing a good job. I think he's doing the best that he can with the number of people that he has and the amount of money that he's asked for and I just have to

give him the benefit of the doubt in saying that when he needs this money to do things in order to run his department smoothly, that we have to give him that. He's an elected official."

Supervisor Walter: "I hope you're right, Jodi. Two years I've been asking for-- two years the board has been asking for it and he hasn't done it. I hope you're right."

Councilwoman Giglio: "Okay."

Supervisor Walter: "All right, call the resolution."

Resolution #83

Councilwoman Giglio: "Highway district budget adjustment. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, no; Wooten."

Councilman Wooten: "(inaudible)-- all I'm saying because it's all been said back and forth, George Woodson is an elected official in this town, the same way we are sitting up here. Bottom line he answers to the same people that we answer to. He's done a great job with that department, go down and look at it.

He's done a lot of work, he's bought a lot of equipment through networking and grants through the federal government. He's done a lot down there, a lot more innovative stuff than I've seen in my 30 years working for this town.

So as an elected public official, he says that he needs cameras down there to protect him equipment, and we're talking \$12,000 with a multi million dollar budget, I'm going to give him that.

So I vote yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, no. The resolution is adopted."

Resolution #84

Councilman Dunleavy: "Put my glasses on. 2012 installation of waste oil tank at the municipal garage budget adoption. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #85

Councilman Wooten: "It's a street lighting 2012 budget adjustment. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "This is actually going to be a cost saving, it's LED lighting for the streetlights so we're going to be saving money in our electric bills, hopefully, in the long run."

And I'll vote yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes, I agree with Jodi."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #86

Councilman Gabrielsen: "Riverhead sewer treatment plant upgrade capital project budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "The start of something big. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #87

Councilwoman Giglio: "Authorizes the supervisor to execute contract with New York State park office of parks, recreation and historic preservation for renovation of Nadel Drive pocket park. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This goes along with our neighborhood parks and we've been after this for about 10 years to fix this park up.

I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #88

Councilman Dunleavy: "Appoints a part time secretary. So moved."

Councilman Wooten: "And I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #89

Councilman Wooten: "This authorizes payment of the association of towns annual membership dues for 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #90

Councilman Gabrielsen: "Okay. Authorizes town clerk to publish and post the attached notice to bidders for street lighting and traffic signal maintenance repair parts. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "This is for parts. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #91

Councilwoman Giglio: "Authorizes the highway superintendent to attend 2012 National Truck Equipment Association truck show. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen."

Councilman Gabrielsen: "I'll be nice. I'll give him that. Yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "It certainly helped out last time. Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes. I think this-- the networking, he got a lot of information out of this."

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #92

Councilman Dunleavy: "Ratifies the appointment of a temporary animal control officer I to the animal control division of the Riverhead town police department. So moved."

Supervisor Walter: "Jim."

Councilman Wooten: "I'm just reading it. Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #93

Councilman Wooten: "This sets the 2012 hourly rate for bingo inspector. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "BINGO. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #94

Councilman Gabrielsen: "Declares lead agency, classifies and determines significance of action acquisition of the Riverhead National Guard armory. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #95

Councilwoman Giglio: "Approves site plan of PODS of New York LLC. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #96

Councilman Dunleavy: "Accepts the resignation of accessory apartment review board member. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Charlie Funda was very dedicated to the job and I will miss him.

So, yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "Yeah, I'll miss Charlie too. He was-- I sat as liaison to that committee and he was the chairman. He did a great job."

Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "Yes. He moved out of our area so he has to resign and we're going to miss him.

I vote yes."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "I love Charlie and Leslie. Sorry to see them leave. Riverhead is losing a great couple.

Yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #97

Councilman Wooten: "This awards bid for specialty items for senior center. (Inaudible) So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please.

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "Two twenty nine for spare ribs with a bone. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #98

Councilman Gabrielsen: "Authorization to publish advertisement- I've got to move-- for fertilizer and lawn chemicals for the town of Riverhead. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #99

Councilwoman Giglio: "Authorization to publish and post advertisement for propane for the town of Riverhead. So moved."

Councilman Dunleavy: "Oh, seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah, I was thinking because this said (inaudible) the last time and it's propane.

So I vote yes."

The Vote (Cont'd.): "I think there's one for fuel too. Yes.

What happened to those short board meetings we used to have a few years ago?"

Diane Wilhelm: "The resolution is adopted."

Resolution #100

Councilman Dunleavy: "Authorization to publish and post advertisement for work clothes for the town of Riverhead. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #101

Councilman Wooten: "101 appoints a call in park attendant II to the recreation department. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #102

Councilman Gabrielsen: "appoints a call in park attendant III to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I guess this young lady is a II and III because it's the same name. Young man, okay, Patrick, it is a young man."

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #103

Councilwoman Giglio: "Authorizes sewer district employee to attend a course. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabbrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yes. This is, again, he's doing a job that he has to be trained to do so I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is

adopted."

Resolution #104

Councilman Dunleavy: "Authorize sewer district employee to attend course. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "It's the same employee, just two different dates. Actually they put the June before May and they should have May before June. But I vote yes."

The Vote (Cont'd.): "Walter. Yes."

Supervisor Walter: "Do you know what they learn in that course? To make sure all the sewage flows downtown."

Diane Wilhelm: "The resolution is adopted."

Resolution #105

Councilman Wooten: "Authorizes advisement to EFC re grant application. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #106

Councilman Gabrielsen: "Adopts a local law to amend Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, and that's 101-3 stop and yield intersections, railroad crossings and parking fields. So moved."

Councilwoman Giglio: "And seconded."

Councilman Dunleavy: "On an amendment, I think we have to change the date you said on this?"

Robert Kozakiewicz: "I'll provide an updated notice of adoption. The notice of adoption should be today's date. The second page it says it was adopted on January 4, 2012 and it should be today's date. So I'll provide an updated copy."

Councilman Dunleavy: "As amended."

Councilwoman Giglio: "I seconded it."

Supervisor Walter: "Moved and seconded. I think you were voting."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes, as amended; Walter, yes. The resolution is adopted."

Resolution #107

Councilwoman Giglio: "Amends Resolution #39 of 2012, authorizes attendance at the 2012 training school and annual meeting held by the association of towns. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #108

Councilman Dunleavy: "Authorizes the retention of the law firm of Campolo, Middleton & McCormick LLP. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #109

Councilman Wooten: "This authorizes the execution of an agreement with Cybertrust, Inc. (Verizon) for managed security services. So moved."

Supervisor Walter: "What's this?"

Councilwoman Giglio: "This is the fire wall from all of our systems coming into the town. I did speak to (inaudible) about it and she said that we need it. It's separate from the other fees that we pay the server for our internet mail. This is for our internet access into the town so that nobody hacks into the town's computers."

Did I say it right, Scott?"

Robert Kozakiewicz: "It's also a continuation of a prior agreement which expired December 31st of last year and it's coming off of a state contract."

Councilman Gabrielsen: "So what's the total of this going to cost the town?"

Robert Kozakiewicz: "One thousand a month."

Councilwoman Giglio: "It's off the state contract which is presumably the lowest price that you can get for this type of firewall."

Councilman Gabrielsen: "So \$1,526 is- page 34."

Supervisor Walter: "Fifteen hundred a month."

Councilman Gabrielsen: "Is that per month?"

Councilwoman Giglio: "What I was told was that this company was the lowest bidder for the state contract. That's why all the municipalities and everybody that uses the service pulled it off the state contract and it's the least price you can get it for, for the firewall services."

Councilman Gabrielsen: "Okay. But somebody from the county just told me it was a thousand dollars- fifteen hundred."

And it also said that would include associated expenses during the month preceding. So it would be higher than fifteen hundred then possibly. Page 34."

(Some inaudible discussion)

Supervisor Walter: "We had this argument last year. We had to do it, not this but-- "

Councilman Gabrielsen: "So what does history tell us on it? What kind of a number-- "

Councilman Dunleavy: "I think-- George, it says below is a summary of services being purchased and the associated fees. And the only thing here is 1526.84."

Councilman Gabrielsen: "Yes, but keep going down the next one."

Supervisor Walter: "You want us to table it?"

(Inaudible comment)

Supervisor Walter: "Okay, so let's table it until you get the information."

Councilman Gabrielsen: "Yeah. I think we need some accurate numbers here."

Supervisor Walter: "We're probably doing it anyway. We'll get (inaudible)."

Yeah, let's table it and we'll get it on the 22nd. I'm sure they're not in any-- I'm sure they want to get paid obviously but as long as they're not going to cut the service off-- "

Councilman Wooten: "I move to table Resolution 109 for clarification of monthly charge. So moved."

Councilman Gabrielsen: "All right. Second to table."

Supervisor Walter: "Moved and seconded as to table."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes;

Dunleavy, yes; Walter, yes. The resolution has been tabled."

Resolution #110

Councilman Gabrielsen: "Authorization to publish advertisement of a request for proposals for automated vehicle location and monitoring (AVLM) for town of Riverhead highway department fleet. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten,"

Councilman Wooten: "Publish and post, yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #111

Councilwoman Giglio: "Authorizes the supervisor to execute a memorandum of agreement between the County of Suffolk and the Town of Riverhead for fire, rescue and emergency services. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Oh my goodness."

Councilman Gabrielsen: "Moved and seconded."

Supervisor Walter: "Yeah. I think I want to table this one."

(Inaudible discussion)

Supervisor Walter: "Yeah, let's table this for now."

Councilman Gabrielsen: "Because there's no reason for us to do it. (Inaudible)."

(Inaudible discussion)

Councilwoman Giglio: "Okay. I make a motion to table

Resolution #111."

Councilman Dunleavy: "I second it."

Supervisor Walter: "Moved and seconded as to table."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten."

Councilman Wooten: "I'm not sure. All right, I'll move to table- I mean I'll support to table. But we can't (inaudible)."

Councilman Dunleavy: "I'm going to support to table if we- if a person doesn't call back and the 22nd we should approve this. We need that."

Supervisor Walter: (Inaudible)

Diane Wilhelm: "Okay. Dunleavy- "

Councilman Dunleavy: "Yes."

The Vote (Cont'd.): "Walter, yes. Resolution is tabled."

Resolution #112

Councilman Dunleavy: "Authorizes the supervisor to execute memorandum of agreement between the County of Suffolk and the Town of Riverhead for Horton Avenue hazard mitigation. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #113

Councilman Wooten: "Authorizes the supervisor to execute an agreement with William P. McCann to provide reconciliation and analysis services for the town of Riverhead. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, no; Gabrielsen."

Councilman Gabrielsen: "I'm a little concerned with this because our accounting department had all the audits, I think we're kind of caught up on them and I feel that they should be able to fit this in instead of putting an extra financial burden on the town of Riverhead citizens."

Supervisor Walter: "Before you (inaudible), I'll eat my hat if he doesn't save \$6,500."

Councilwoman Giglio: "That would be \$6,500 more than we have in the bank if we did it in house."

Councilman Gabrielsen: "And what's real troubling to me, I was told by a reliable source that this- to do this audit reconciliation was presented to somebody in the accounting department who said they would quit if they had to do it."

So what does that say about management in that department? The best thing that could happen, wait, finish, go back to this person, let him quit. We get somebody in at a re-entry salary, would save the town 20,000 plus the 6,500 because the new person would be doing it.

So I have to absolutely, I think it's fiscal irresponsibility on the part of this board to let this go out of the town when it could be done with a little extra effort reach in house."

Supervisor Walter: "If it could be done, George, if I thought it could be done. First of all, if I thought the person would quit, I would take your advice. But I don't think that person will quit."

Councilman Gabrielsen: "Well, not now, the cat's out of the bag."

Supervisor Walter: "But- and it wasn't done when any of us were sitting on this board. Well, you guys wouldn't have known- "

(Inaudible comment)

Councilman Wooten: "I think that was more or less to indicate

the cumbersome work involved with getting this reconciled."

Supervisor Walter: "I just might consider- "

(Inaudible comment)

Supervisor Walter: "My concern is this. There's a couple things that are about to happen to the accounting department. One is the internal auditors are gearing up to start. The second thing, as soon as I get a chance, I'm going to call the comptroller's office and have them come do the friendly audit. I just haven't- it's on my list of things to do.

So I'm asking the comptroller's office to come audit the accounting department. I'm pretty certain once the internal auditors come in and start doing certain things- not the accounting department but they're going to go and do certain things and we have the comptroller's office coming in, I don't want them to fall behind and that- there's nothing more critical to me than keeping this town forward.

And I just- I can't- I know we're going to find more than \$6,500 and I just wish you would support this."

Councilman Gabrielsen: "It's not the savings. It's not we'll find it or they'll find it. It's there. There's going to be some money in there."

Supervisor Walter: "I just don't think our department has the time to do it and do all the things that I'm about to demand of them.

I'm going to- I want to make this the most efficient run town in terms of the audits and the finances. I want to strive to be Smithtown in terms of- "

Councilman Gabrielsen: "Well, so my thing is let's put the feet to the fire and let's see if they can get it done, for that I'll give them five stars.

I'll give my vote, Councilman Wooten, I'm finishing my speech. I don't force you to give your spiel and you go on about things (inaudible)."

Councilman Wooten: "Well, normally (inaudible)."

Supervisor Walter: "What else have you got, George."

Councilman Gabrielsen: "Did Councilwoman Giglio vote?"

Diane Wilhelm: "Yes, she did."

Councilman Gabrielsen: "Yes. Okay. I'm no."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Well, let me start my spiel because actually I think it's important if you understood- I don't work in accounting, I can't be as astute as Councilman Gabrielsen is with their work ethics.

But I can tell you that this particular fund is well over 20 years as far as going back. It's a chore. I don't know whether that person that said I'll quit if I have to do it was just trying to elaborate just how intensive that would be and how time consuming that would be. But the \$6,500- actually I like the fact that there's fresh new eyes outside of that department looking at it. I like that better, something that hasn't been part of the community or part of the whole process. I think it's prudent.

So I vote yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "You know I'm not going to give a spiel. I trust their judgment.

I vote yes."

The Vote (Cont'd.): "Walter, yes."

Diane Wilhelm: "The resolution is adopted."

Resolution #114

Councilman Gabrielsen: "114- extends bid contract for disposal of town of Riverhead municipal solid waste. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #115

Councilwoman Giglio: "Appoints the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the matter Fl Long Island v. Phil Cardinale, Barbara Blass, the Town of Riverhead, the Town Board of the Town of Riverhead, et al (federal) and Leibowitz, Fl Long Island v. Town of Riverhead, et al (state) and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I'm going to abstain because I represented Fl."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #116

Councilman Dunleavy: "Appoints the law firm Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the matter Field Day, et al v. the Town of Riverhead, et al and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

And you're not seconding this?"

Councilman Wooten: "I didn't have a chance. (Inaudible comment)"

Seconded. Now discussion. (Inaudible comment)

Are we hiring a new law firm or is this just- "

Robert Kozakiewicz: "They've been representing us- "

Councilman Wooten: (Inaudible comment)

Robert Kozakiewicz: "We discovered that a lot (inaudible)."

Councilman Wooten: "Okay, seconded."

Supervisor Walter: "Okay, we can have goals. Did you vote?"

Councilman Wooten: "I just seconded it. She hasn't called the vote yet."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Yes. But did George second it? Wooten called it but did George second?"

Councilman Wooten: "No, no. I called it."

Supervisor Walter: "I'm sorry."

Diane Wilhelm: "The resolution is adopted."

Resolution #117

Councilman Wooten: "Appoints the law firm Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the matter M-GBC, LLC v. the Town Board of the Town of Riverhead, et al and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded."

Councilman Dunleavy: "I have a question. This is the same as the last one, we're cleaning up, or is this a new one?"

Robert Kozakiewicz: "This was-- last year there was (inaudible)."

Councilman Dunleavy: "Okay."

Diane Wilhelm: "We're up to the vote."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #118

Councilman Gabrielsen: "Resolution and consent approving the dedication of a highway known as Honey Lane and it's the Osborne Acres. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #119

Councilwoman Giglio: "Appoints the law firm Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the Matter Riverhead Park Corp. v. Phil Cardinale, George Bartunek, Barbara Blass, Leroy Barnes, Dawn C. Thomas and the Town of Riverhead (federal case) and the Town of Riverhead v. Riverhead Park Corp. (state case) and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #120

Councilman Dunleavy: "Appoints the law firm- I'm telling you, we're really paying this law firm."

Appoints the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the matters Town of Riverhead water district v. Pittsburgh Tank and town and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

Councilman Wooten: "Second."

Councilman Dunleavy: "Is this for the (inaudible)."

Supervisor Walter: "Yes. Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #121

Councilman Wooten: "Authorizes the release of a site plan security of Jenenne Lockwood (Peconic Holdings - Robert Stevenot). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "One less \$10,000 that Mr. McMahon has to account for in the special account.

Yes."

The Vote (Cont'd.): "Gabrielsen, yes; Wooten."

Councilman Wooten: "Paid for itself already. Yes."

The Vote (Cont'd.): "Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #122

Councilman Gabrielsen: "Releases certificate of deposit of Richard Olivo in connection with the subdivision entitled of Shade Tree Acres - Section 1 (one year maintenance bond). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Abstain, he's a client."

Diane Wilhelm: "The resolution is adopted."

Resolution #123

Councilwoman Giglio: "Releases certificate of deposit of Richard Olive in connection with the subdivision entitled Map of Shade Tree Acres - Section 2 (one year maintenance bond). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter."

Supervisor Walter: "Yes- abstain, sorry."

Diane Wilhelm: "Okay, too quick. The resolution is adopted."

Resolution #124

Councilman Dunleavy: "Authorization to publish advertisement for snack vendors for the town of Riverhead. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I really wanted to do something with this and I asked Ray to do this because what the county does is the county- when vendors come in and they bid to use our locations and lease it from us, they improve the property for the county."

They say I'm going to spend \$10,000 and I'm going to put a new roof on or I'm going to spend \$2,500 and put a new furnace in."

Supervisor Walter: "Unfortunately you've got to— you have to do it yourself almost."

Councilwoman Giglio: "I know. I'm upset because I asked Ray before this came up again this year to talk to me about it."

Supervisor Walter: "It's one of those things you have to— it's just like— "

Councilwoman Giglio: "I know. I thought he was going to work on it but— "

Councilman Wooten: "Well, we have— we put the bid spec together. This is just authorizing (inaudible)."

Robert Kozakiewicz: (Inaudible comment)

Councilwoman Giglio: "Right, because now they can (inaudible)."

Councilman Dunleavy: "Usually— "

Councilwoman Giglio: "Is that in there?"

Robert Kozakiewicz: (Inaudible)

Councilman Dunleavy: "Can I ask you a question? Usually they have two bids because the Little League sells refreshments to benefit the Little League. And if we put this to Grangebél Park and the police officer memorial park, won't that interfere with them selling for their Little League?"

So usually those two parks are off of this bid until— "

Councilman Wooten: "Most of these (inaudible)."

Councilman Dunleavy: "I agree with that. (Inaudible)."

Supervisor Walter: "(Inaudible). You're right. Little League— we don't have to award it. We can advertise it, we don't have to award it."

Councilman Wooten: "I mean there's no snack vendor at (inaudible)."

Councilman Dunleavy: "But they can stop there with their dingling machine and- ding ding. You know hot dogs- "

Councilwoman Giglio: "They can't do that unless they're an approved vendor.'

Supervisor Walter: "Hey, Ray, come up to the microphone. You're up. Councilwoman Giglio wants to speak with you."

Councilman Dunleavy: "Ray, let me ask you a question. Remember, Little League. We usually didn't award a- for Grangebel and- "

Councilwoman Giglio: "Advertisement for snack vendors."

Ray Coyne: "Yeah, what about it?"

Robert Kozakiewicz: "This was done by my office (inaudible)."

Councilman Dunleavy: "(inaudible) because Little League sells for their club."

Ray Coyne: "Basically what we've done in the past, it's our agreement with Little League is that they can sell during their games and they don't sell during practice. It's really during the game. So we just tell the vendor just when there's games on, Little League sells it and they pretty much leave them alone."

Councilman Dunleavy: "They don't mind."

Ray Coyne: "No, no. Basically they just do the ice cream man over at Stotzky Park and stuff like that."

Councilwoman Giglio: "And also I had discussed with you last year that in the bid specs getting the vendors to put a bid on improving our property like putting in (inaudible) traps or putting in catch basins and things of that nature at Jamesport beach."

Ray Coyne: "Yeah. Only if we go into a long agreement with them, nobody is going to do it for a one year agreement."

Councilwoman Giglio: "No, I know. But I wanted to do that for this year. So maybe we can work towards that for next year."

Ray Coyne: "My objective, Jodi, was to find— the last two we had were horrible especially the one last year. I wanted to find one, try them out for a year, and if we liked them enter into an agreement with them and at that point let them go ahead and fix up the place.

And people that I've spoken to are willing to do that."

Councilwoman Giglio: "I know."

Ray Coyne: "I'm just afraid to go into an agreement now with them, not knowing their track record. Because if we enter into a 10 year agreement with somebody that's not that good, we're in a little bit of trouble.

So that's why I just like one year try outs. We can always tailor it but I just— I like the one year try outs. See what the relationship is and everything and then we say, okay, we like you, we'll go with you."

Councilwoman Giglio: "But even after a one year try out you still have to bid it out and if someone comes in— "

Ray Coyne: "There is something that we can do that we can enter into an agreement with them. After they secure the one year bid, there's something in the purchasing contract that we are allowed to enter into an agreement with them, a lease with them."

Councilwoman Giglio: "Okay. And then we had also talked about subleasing where we had one vendor that had bid on three different properties but they didn't bid on other properties but they still wanted to provide services there but they wanted to sublease it out, so we're not including subleasing into our agreement this year?"

Ray Coyne: "No. That became a big issue with them subleasing."

Supervisor Walter: "So we want to know who the people are."

Robert Kozakiewicz: "To be clear, we've always had— I think

in all our agreements whether it's a professional service agreement or any other agreement, a prohibition on assignment without the town's consent. And I think that's pretty much what it says, that they cannot do that without our consent.

And in order to get our consent, we've got to make sure they're properly insured, they have the proper health department permits, they're doing what the person who submitted the bid- "

Councilwoman Giglio: "So they can do it at a later date with our consent, is what you're saying as long as they have the proper insurance?"

Robert Kozakiewicz "I believe that's what the agreement says. I think it says that they cannot do it on- as a unilateral act. If they do so, it's considered to void their bid."

Councilwoman Giglio: "Right. Because I was concerned last year that when I went back to the bids and saw that there were supposed to be charging me \$2.50 for my kid's ice cream, they ended up charging me \$4.50- "

Ray Coyne: "Well, we told them to because it was you. No."

Councilman Dunleavy: "They said, oh, we can make some money off of this one."

Ray Coyne: "He- that was his, that was the guy who bid on South Jamesport was there. But what happened was he was subbing Stotzky out to other people and we were kicking them out.

So we were saying get out. It was Mr. Softee who I love. I had to kick him out of the park because he didn't have the contract.

It just became- and he was making side deals with the other subs. It just became too clouded and we'd just rather control the guy that we have on the contract."

Councilman Dunleavy: "I agree with you. Now, Ray, is this an omen that Calverton is not opening because it's not here."

Supervisor Walter: "No, it's open."

Robert Kozakiewicz: "It was because- "

Ray Coyne: "It's going to open. That's what I was doing all day."

Robert Kozakiewicz: "-- the bids from last year were copied and we didn't pick up on that."

Ray Coyne: "And I- we're going to make Calverton separate and that's what I was doing all day today, dealing with Calverton."

Supervisor Walter: "How did that go?"

Ray Coyne: "It's been a long day."

Supervisor Walter: "The highway superintendent might not help us out too much."

Ray Coune: "That's an issue, I have to talk- "

Councilman Gabrielsen: "I think (inaudible)."

Ray Coyne: "We're going to get it done. Trust me, we're going to get it done. It's just going to- whatever hair I've got left, it's going to be gone by Memorial Day. We're going to get it done though. We'll get it done."

Supervisor Walter: "Did we move and second this?"

Diane Wilhelm: "Yes, we did. We're up to the vote and- "

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #125

Councilman Wooten: "Appoints the law firm of Smith, Finkelstein, Lundberg, Isler and Yakaboski as special counsel in the matter Soundview Associates v. the Town of Riverhead et al and authorizes the supervisor to execute a retainer agreement regarding same. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "They must be our new town attorneys. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #126

Councilman Gabrielsen: "Approves Chapter 90 application of Vail Leavitt, a live musical entertainment - June 16 and 17, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "I support the event but I have to be consistent across the board. So I'll abstain."

The Vote (Cont'd.): "Gabrielsen."

Councilman Gabrielsen: "I have a question. I thought it was presented to us that we wouldn't use overtime."

Supervisor Walter: "Yeah. We've got the part time people."

Councilman Gabrielsen: "Because we're authorizing the- let's see, the highway department to utilize overtime."

Councilman Dunleavy: "You've got to put it in just in case."

Supervisor Walter: "The police department is right there. I mean, George, would there be- could there be a sergeant or something, maybe, but (inaudible)."

Councilman Gabrielsen: "Okay. As per discussion (inaudible)."

Supervisor Walter: "His overtime budget is 600,000, he's already- (inaudible) back there because we added the marathon- no, triatholon and this but we'll get him there. That's his job."

Councilman Gabrielsen: "I'm personally a little concerned about the public benefit here because of expenditures to us, the use of public land and the fact that the town residents have to also pay a fee I think of \$10.00.

But I think looking at it this year, I'd like to see how it works this year for next year so I'm going to say- I'll go ahead, yes."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "Everybody knows how I feel about it but I think there's a correction that needs to take place here because right now we're saying it's held on Saturday, June 16 between noon and 7:00 and I think that's wrong."

Supervisor Walter: "Oh, you wanted to change that noon to ten."

(Inaudible discussion)

Councilman Wooten: "Well, not in this resolution. It should be noon 'til ten p.m."

Unidentified: "Ten p.m. on Saturday."

Councilman Wooten: "Let's make that correction and we have noon to six on Sunday? Okay.

So I'll- "

Supervisor Walter: "And what I'll ask the police department to do, we'll amend it. You're okay with the amendment? The police chief is here. Our town engineer is not here but, Tara, I want the- us to keep track of the overtime so we'll know exactly what it is. And the Vail has told me that they're going to- we'll have some guys there because we always have them. (Inaudible) there, but we will- you guys are going to take care of policing the trash during the event and everything and we'll just take it away at the end and do a cleanup. Correct, Vince?"

Vince Tria: "Yes, sir."

Supervisor Walter: "Okay. And we'll keep track. We'll know exactly where we were."

Councilman Wooten: "I have some concerns like George does, but you know what? It's been a while since we had a blues festival. There was some outcry that people wanted it back so let's give it a whirl. And it's early enough this year, you're not going to burn your feet on the pavements.

Yes."

The Vote (Cont'd.): "Dunleavy."

Councilman Dunleavy: "I think the public benefit of this is that it's bringing people to the town of Riverhead, they're using our restaurants in the town of Riverhead, and if anything is open they'll browse around and do some other shopping in the town.

So I think there is a public benefit to this and we are supporting the Vail Leavitt.

So I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Supervisor Walter: "Hold on. Tara, for the staff meeting on Monday, can you remind me to talk to the department heads so they keep a log so we- of this event. Thanks."

Councilman Wooten: "This has to be tabled, 127."

Councilman Dunleavy: "But I think if they keep- if you keep a log for this event, then you have to keep event for every event. You can't- "

Supervisor Walter: "Yeah, we may do that."

Councilman Dunleavy: "Huh?"

Councilman Wooten: "I disagree. You're not closing off public property."

Councilman Dunleavy: "Yes, you are. Yes, you are. We close town hall- the town parking for every event that's held down there, the BID."

Councilman Wooten: "We don't charge people to get in."

Councilman Dunleavy: "Well, that's a different thing now. That's not what you said. You said we don't close public property."

Councilman Wooten: "No, we don't close off public property and charge people to get in."

Councilman Dunleavy: "Well, years ago we used to pay for insurance."

Supervisor Walter: (Inaudible)

Councilman Dunleavy: " No, no, but we used to pay for insurance and stuff. We stopped paying for their insurance and there is expenses to this so, you know, the \$10.00 that they charge, I didn't like it when they started charging it but, you know, that's it. I still support it."

Supervisor Walter: "Well, good, we tabled 127 so I didn't get a chance to read the agreement."

Councilwoman Giglio: "Did everybody vote for the last one?"

Diane Wilhelm: "Yes."

Councilwoman Giglio: "Resolution #127 I move to table Resolution #127."

Councilman Dunleavy: "And I second to table."

Supervisor Walter: "Moved and seconded as to table."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution has been tabled."

Resolution #128

Councilman Dunleavy: "Accepts the donation of microfilm/fiech reader for use by the Riverhead town clerk's office. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "Boy, are you going to have fun with that. Yes."

Supervisor Walter: "An old school thing with (inaudible)."

(Inaudible comments)

Supervisor Walter: "Do you really want that?"

Diane Wilhelm: "Yes, I do."

Councilman Gabrielsen: (Inaudible comment)

The Vote (Cont'd.): "Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "Yeah, I want to thank the Dowling College library for donating it. Thank you."

Supervisor Walter: "It was either that or scrap."

The Vote (Cont'd.): "Walter."

Supervisor Walter: "Yes. The town of Riverhead is moving into the 19th century. We're now using microfiche."

Councilman Wooten: "We just got rid of the mimeograph."

Resolution #129

Councilman Wooten: "Authorizes community development department to make application to New York State Office of Parks, Recreation and Historic Preservation to transfer grant to adjacent parcels for use by Suffolk County Historical Society. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #130

Councilman Gabrielsen: "Authorize the supervisor-- "

Supervisor Walter: "-- amend, George, the dollar amount."

(Inaudible discussion)

Councilman Gabrielsen: "Okay. We're going to amend-- "

Supervisor Walter: "Move as amended."

Councilman Gabrielsen: "Authorize supervisor to execute agreement with Riverhead Youth Sports, Inc. for referee/umpire services for town of Riverhead Police Athletic League girls and boys lacrosse and football program for 2012 calendar year. So moved as amended."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "I support this but with all the head trauma with football (inaudible), I really think we should think about doing the uninjured football, flag football.

But I vote yes."

Councilman Wooten: "Flag can be pretty rough."

The Vote (Cont'd.) "Walter, yes. The resolution is adopted."

Resolution #131

Supervisor Walter: "Diane is getting good. She's-- even during the spiel she's calling the votes to make sure she moves it along."

Councilwoman Giglio: "When my kids play football, John, I'm going to make sure they're (inaudible)."

Supervisor Walter: "Larry is already gearing up for- "

Councilwoman Giglio: "Authorizes the supervisor to execute a professional services agreement for Peconic Avenue - CR 63 pedestrian crosswalk. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy."

Councilman Dunleavy: "This is one for you, Larry. We're finally getting a crosswalk on Peconic Avenue after years. We're just going to- yeah, I vote yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Resolution #132

Councilman Dunleavy: "Authorize the town clerk to publish and post public notice to consider town of Riverhead expenditure of Community Preservation funds for the improvement and management of hamlet park (passive recreation) on property described as SCTM# 0600-17-01-5.22 owned by EMB Enterprises LLC. So moved."

Councilman Wooten: "I'll second."

Councilman Dunleavy: "Where is this?"

Supervisor Walter: "This is the Kenny Barra's, his (inaudible)."

Councilwoman Giglio: "(inaudible) CPS money to (inaudible)."

Councilman Wooten: "I second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #133

Councilman Wooten: "This supports joint NE our town grant application by East End Arts & Suffolk County Historical Society to national endowment for the arts. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #134

Councilwoman Giglio: "Pays bills."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, no, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "All right. This is the part of the meeting where we ask for anybody that wishes to comment on something that may be in our purview or may not be in our purview."

We ask you- Vince, congratulations. It's your 80th year, make it the best. Oh, he's coming up. We ask you to limit it to five minutes if you would be so kind."

Larry Oxman: "Yes, Larry Oxman. Something near and dear to your hearts, money. Resolution 119 and many other resolutions talked about appointing a law firm for the town."

Specific to 119 is the litigation against Riverhead Park. My question is and I guess this was just done for housekeeping. Former town attorney, Dawn Thomas, has her own outside counsel which it's come to my attention is being- the bill is being paid for by the town.

I think the bill as of sometime mid last year before the bulk of her law firms work was done, was about \$35,000. My guess is I'll have to FOIL for it, that it's probably up to \$75 to 100. Maybe you haven't received the bills.

Really, the question is, do you have to pass a resolution authorizing her law firm and do you have any say in the rates that that law firm is charging?"

Supervisor Walter: "Yes, we have a say. We have to appoint a law firm, a lawyer for her and she has the ability to choose the lawyer. We do negotiate the rates of those lawyers, sometimes the rates are not as favorable as the town board attains with other lawyers but we do have the ability to do that."

Larry Oxman: "Has a retainer agreement been signed if you know?"

Supervisor Walter: "I don't know."

Councilwoman Giglio: "I think we did adopt a resolution for that one and then also for the chief (inaudible). I thought we did both those resolutions."

Supervisor Walter: "Probably. I mean- "

Larry Oxman: "Okay."

Supervisor Walter: "If not, there will be another one eventually."

Larry Oxman: "Very good. Thank you."

Councilman Wooten: "Until such time as you drop the suit."

Councilwoman Giglio: "That will never happen."

Supervisor Walter: "I'm just noticing. We don't get sued that much (inaudible). Everybody knock on wood quickly.

Vince Tria."

Vince Tria: "That's my name. I want to thank the whole town board for my Chapter 90. I think this year will probably be the

best because one of the stars, if you know music, is Johnny Winters. That's a big name in the music industry. That's number one.

Number two I also told the supervisor that we would give the board an accounting. You didn't ask me for it, you didn't put it in the resolution, but we will volunteer it, a breakdown of what we've got, our expenses, and what the revenue was.

Now this has nothing to do with the Blues Festival. I have asked for this I think my three years. Peconic Avenue is a secret avenue. There are no signs there at Main Street and Peconic and when we tell people the Vail Leavitt which is located on Peconic Avenue, go look up your GPS, it doesn't exist because there's no sign.

We will volunteer to pay for the sign. Can we get a sign that says Peconic Avenue, sir?"

Councilman Wooten: "GPS is based on (inaudible).

Supervisor Walter: "The only problem with that is- "

Vince Tria: "It's a state road."

Supervisor Walter: "-- it's a state and county road. I have no control over it."

Councilwoman Giglio: "I'll ask Geo for- "

Vince Tria: "I asked Geo. Geo said to me- "

Councilwoman Giglio: "Geo will do it for us, right (inaudible)."

Vince Tria: "Why can't we just put one up? What is the state going to say? You're under arrest?"

Councilman Dunleavy: "Wasn't there one up there? I thought there was one up there."

Vince Tria: "Think about it."

Supervisor Walter: "Why don't you ask Ed Romaine? We think Ed Romaine could probably get the DPW. I mean it's a county road."

Councilman Wooten: "(inaudible) calling it the Vail Leavitt Way."

Vince Tria: "Thank you."

Councilwoman Giglio: "Wow. That would be nice."

Supervisor Walter: "Oh, that would be even better. I'm for that one. We'll pass that resolution."

Vince Tria: "Oh, you want it changed to Vail Leavitt? We asked for that. That man sitting right there said no."

Supervisor Walter: "What, Vail Leavitt Way?"

Vince Tria: "He said it was once suggested to him and after he worked really hard to get it done, the canoe guy backed out. You remember that, Bob? We had a conversation. We wanted to call it- "

Robert Kozakiewicz: "I don't remember that conversation. I remember challenging you to get the work done or pulling funding, but I don't remember have a conversation (inaudible)."

Vince Tria: "And I said forget about it because he wouldn't go along with it again."

Councilman Dunleavy: "I think that's a good idea."

Supervisor Walter: "Why don't you- Vince, why don't you set up a meeting with Ed Romaine and ask him if he could put a resolution changing the name of the road to Vail Leavitt?"

Vince Tria: "Oh, I'd love that."

Supervisor Walter: "Why don't you ask? Because you- go there and ask him for the sign because it's his- the county's road, the board would support the change in the name, wouldn't you?"

Councilman Dunleavy: "That's right. If we can name it after children- "

Vince Tria: "I'll ask."

Councilman Dunleavy: "-- we can name it after Vail Leavitt."

Vince Tria: "You know me. I'm 80 now. I only thank God for getting up."

Councilman Wooten: "-- Trial Trail, we can call it, you know, Vail Leavitt Way."

Supervisor Walter: "Okay."

Vince Tria: "And remember the Blues Festival-- the idol is coming."

Supervisor Walter: "Okay."

Councilman Wooten: "Yes, that's right. March 3rd."

Supervisor Walter: "How did you make out hunting season?"

Sal Mastropaolo: "That's why I'm up here. I wanted to ask George what the result was for the hunt."

Councilman Gabrielsen: "We haven't had a meeting since, but I think they took about 50 deer for guns, about 30-- 35 for bows, like 85 total."

Sal Mastropaolo: "That's good."

Councilman Gabrielsen: "They told me-- I haven't seen them but they pulled out some trophy racks out and the deer were much healthier, bigger this time."

Supervisor Walter: "That's because there's more fence that's been taken down."

Sal Mastropaolo: "Thanks."

Supervisor Walter: "Yes."

Georgette Keller: "How is everyone today?"

Supervisor Walter: "Good. Fantastic."

Georgette Keller: "Good. I'm glad. A couple of things, a

couple of different hats.

First of all, as a member of the Landmarks Preservation Commission, Peconic Avenue is now part of our application as a national registered district. So you might want to, you know, consult Mr. Wines, our commissioner, and whether that would be appropriate to change the name. We'll have to discuss it and figure it out. That's number one.

Number two, I have already received some worried inquiries about an article that was in the News Review this past week or at least on line, about a proposed YMCA on Main Road in Aquebogue."

Supervisor Walter: "Yes."

Georgette Keller: "And in the paper was quoted Mr. Danowski's interpretation of the code that a YMCA would be an educational facility and therefore compliant with town code.

I'm not sure if a 40,000 square foot building fits into rural corridor, but- "

Supervisor Walter: "I love it. I think it's a great location, great application there right on- "

Georgette Keller: "Well the residents adjacent to the property don't feel that way."

Supervisor Walter: "I understand, but it's a community benefit."

Georgette Keller: "And there are those of us who have been fighting for the preservation of rural corridor to small buildings of residential and farm style that would disagree.

So I'm here to register that with you and to let you know that- "

Supervisor Walter: "I support him 110%. I mean I think it's- "

Georgette Keller: "I support there being a YMCA in the town of Riverhead but it belongs in Riverhead proper."

Supervisor Walter: "-- a great location. I support that location. I support that location. I think it's a good location. I think it may be problematic, you know, they're going to have to-- the DOT, traffic-- "

Councilman Wooten: "I think traffic is going to be horrendous."

Georgette Keller: "It's not an educational facility. It's a recreational facility, therefore, it's outside the code."

Councilman Dunleavy: "Public safety-wise, it's a difficult place to put it (inaudible)."

Georgette Keller: "They had an agreement when they were thinking about building the Y on school district property about putting pre-K classrooms but the YMCA is not in the business of education."

Supervisor Walter: "I disagree. I don't know. I like the YMCA, out of all the locations-- "

Georgette Keller: "I love the YMCA."

Councilman Gabrielsen: "Probably most favorable-- "

Georgette Keller: "You're talking about a huge structure and there are no other structures of that size there, even Vineyard Caterers or the caterers or the Vineyard as it's now known across the street is not nearly that large."

And you, Mr. Dunleavy, said you didn't realize how big a project was until it was up, with the Hilton Garden, and I certainly feel that way with the Hyatt downtown dwarfing everything that's in that district. So, you know, we really need to keep this in mind.

And just so you know, I'm already getting the phone calls and-- "

Supervisor Walter: "I understand. The problem for us is that we have to balance-- "

Georgette Keller: "But you can't go against the code. It's not an education-- it's not a school. It's the YMCA. It runs summer

camp, summer camp is not a school."

Supervisor Walter: "The town board has to balance everybody's needs and the YMCA has been kicking around here for 10 years."

Georgette Keller: "So you're going to change the code to accommodate this?"

Supervisor Walter: "And the bottom line is that out of all the locations they've looked at, this one probably has, with the exception of the curb and they may wind up having to put a traffic light up. DOT may make them do that."

With the exception of that traffic issue, I think this is a good location for them and you know we'll rely on the attorneys for the interpretation of the code and hopefully go from there.

But as far as I know, they haven't made any application."

(Inaudible comment)

Councilman Dunleavy: "No. I don't think they purchased the property yet. I think they--"

Georgette Keller: "No, they haven't gone to contract yet. They haven't even gone to contract but it was, you know, it was really kind of presented as they're getting ready to close and that there are no issues to be, you know--"

Councilman Wooten: "It's premature."

Georgette Keller: "-- right, so that naturally has left the community now really feeling like we just-- something just came in the back door without anybody knowing about it, so you might want to be pro-active in setting out what the course will be especially for the public input for their community. Because it was determined that the YMCA wasn't appropriate on Tuthill's Lane either."

Supervisor Walter: "This is way, way, way different than Tuthill's Lane."

Georgette Keller: "No, it's not. Tuthill's Lane was 26 acres."

Councilman Gabrielsen: "The impact on Tuthill's Lane is a private road would be great. (Inaudible)."

Georgette Keller: "Yes, yes. This is Main Road versus Tuthill's Lane. That's the only difference. Still talking about a mega facility."

Supervisor Walter: "This is a huge, huge difference."

Georgette Keller: "No, it's not."

Supervisor Walter: "Huge difference."

Georgette Keller: "You're talking about rural corridor in a rural hamlet that the residents of Aquebogue and Jamesport want that eastern area to stay that way. And you need to get that message loud and clear."

Councilwoman Giglio: "I'm surprised that they picked that location because I expressed my concerns with the challenges that they'd be faced with in trying to locate that there."

Georgette Keller: "The size of that structure is not in keeping with the history or with the development that the residents want."

Supervisor Walter: "I understand. Thank you."

Georgette Keller: "Just keep that in mind, you know. Mr. Danowski's interpretation aside. As much as I love Mr. Danowski- "

Supervisor Walter: "I don't rely on Mr. Danowski's- I don't rely on Mr. Danowski's interpretation."

Georgette Keller: "I didn't think you did."

Supervisor Walter: "We'll talk to the town attorney's office, they will render an opinion as to whether it's legal and if they render an opinion that it's legal, the YMCA I assume will move forward and if they render an opinion that it's not legal, well, maybe they come for a change of zone, maybe they come for something else, but you know it's not acceptable anymore just to say no, no, no. You've got to find- "

Georgette Keller: "This isn't no, no, no. The zoning is in place to restrict what is allowed and how it's allowed."

Supervisor Walter: "The rural corridor zoning quite frankly in my estimation of things, I don't know how- it's a zoning that allows almost nothing, almost nothing and here you've got something that would be a huge benefit to the community, may or may not fit the zoning. I don't know. We'll leave that to the attorneys."

But we- there's got to be some use allowed besides antique stores in rural corridor. And there's really nothing."

Georgette Keller: "The key word is rural. There is not much in rural. It's the pastoral beauty that's to be preserved."

Supervisor Walter: "No. The town- the previous town board abused rural corridor and they put it in places where it doesn't belong and I'll give you an example."

Georgette Keller: "Well, it does belong between two rural hamlets."

Supervisor Walter: "I'll give you an example. In Calverton, in amongst the heaviest industrial zoning districts we have, L-1, industrial A, they have rural corridor. And I'm sorry. There are things that just don't make sense."

Georgette Keller: "Well, but that's apples and oranges. You don't have industrial A on Main Road in Aquebogue and Jamesport."

Supervisor Walter: "Well, let's see- they're going to make- present this to the town attorney's office and the town attorney's office will give us an opinion as to whether it works and if it works, I would assume they'll move forward with it."

And if it doesn't, they'll come to us and say, you know, we'd like to come here and will you look at a way to let us come here. But it's, you know, it's time for the YMCA. It's time- "

Georgette Keller: "A 40,000 square foot building on Main Road is unacceptable. That's clear."

Supervisor Walter: "On 40,000- Georgette, 40,000 square feet on New York State Route 25 to me is not a terribly large building"

and the- "

Georgette Keller: "That's 10 times the size of the George Young community center."

Supervisor Walter: "-- the people of the town, this is a community benefit. This is not coming in- this is not Stop and Shop coming in. This is a community benefit that in my opinion is going to be tremendous. So, you know, I support it. I supported it on 25."

Councilman Wooten: "I wonder how big the Vineyard Caterers is, the old Brasby's and that's probably- how many?"

Councilman Dunleavy: "That's probably 25,000, 30,000 maybe."

Georgette Keller: "I doubt it. I doubt it's that big. Maybe 20, maybe. But when you think about you know the projects that's been proposed across from the Elbow Room which is another item on your agenda at some point, that's 10 buildings roughly the size of George Young community center to equal 42,000 square feet."

Councilman Dunleavy: "You're talking about the back- you're talking about the- "

Georgette Keller: "There's only nine acres- the whole property is only nine acres."

Supervisor Walter: "I mean nine acres you could put the building set back so far you wouldn't even know it was there."

Georgette Keller: "Well I know they want the open space for day care and things like that and an outdoor aquatic center eventually. So, you know, you're talking about a lot of development on a parcel of land that is buffered by residential property all the way around except for the caterers which is, you know, kind of across the road, a little down the road."

Supervisor Walter: "What would you do with a rural corridor zone property of nine acres if you're only allowed to- "

Georgette Keller: "It's not my job to figure out what. It's my job to protect what is there and the pastoral vistas. That's why we have agra-tourism. They don't need to see what they see in the

town of Brookhaven."

Supervisor Walter: "And on a nine acre parcel, you could set that back so you wouldn't even know it was there."

Georgette Keller: "It would depend on configuration of the property but Colonial Avenue runs right behind that property."

Supervisor Walter: "But we could make that happen and that you wouldn't see the facility."

Georgette Keller: "A building that large is unacceptable in rural corridor from a lot of- "

Supervisor Walter: "Okay."

Councilman Wooten: "I think it's still a little premature but (inaudible)."

Georgette Keller: "Well, but it's already being advertised in the paper and- "

(Inaudible comment)

Georgette Keller: "So it would just be nice, that's why I'm making the comment here so that you can make the declaration that nothing's been filed for yet and it will go through due process just as anything else will."

Councilman Wooten: "I think there's a few sites they're looking at to be honest with you."

Georgette Keller: "So that's all I ask for."

Supervisor Walter: "Of course it's going to go through the process it has to go through. Every application goes through the same process."

Councilman Dunleavy: "But they've been trying for 10 years to get something in Riverhead and Riverhead keeps turning it down. So that's progress in Riverhead after 10 years- "

Georgette Keller: "Wasn't there a plan to put it on the north side of Stotzky Park?"

Councilman Dunleavy: "It is."

Georgette Keller: "That's certainly a more appropriate location, closer to 58 and in the center of town. If it's supposed to be used by adjacent communities, so- "

Supervisor Walter: "All right, we're not-- Georgette, that doesn't- "

Georgette Keller: "There is an argument to be made that there is a more appropriate location available within the town. That's all I'm trying to say."

Supervisor Walter: "Okay. They- if they buy the property, they will come before us like any other applicant and they will make their application and it will be either moved forward and approved or it will not because it doesn't meet the zoning."

And that's my commitment to the community, is that it will go through the application process."

Councilman Dunleavy: "Actually they should find out before they buy the property if it's going to meet zoning. That's the proper way of doing it."

Councilman Gabrielsen: "I'm sure they- "

Councilman Dunleavy: "But we can't- we're not on their board so we can't say."

Georgette Keller: "Right. That's not in your purview to say that. All right. Well, thank you."

Councilman Dunleavy: "Okay, thank you."

Supervisor Walter: "Does anybody else wish to be heard?"

Councilman Dunleavy: "I make a motion we adjourn."

Councilman Wooten: "Second."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

2/07/2012

177

Meeting adjourned: 5:10 p.m.

Clare M. Shihada
Town Clerk